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**Heritage and Change: The implementation of fishing policy in
Kassiesbaai, South Africa 2007**

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A dissertation submitted in partial fulfilment of the requirements for the
award of the degree of Master of Arts in Social Anthropology.

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2008

Compulsory Declaration:

This work has not previously been submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in, this dissertation from the work, or works, of other people has been attributed, and has been cited and referenced.

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ABSTRACT

This dissertation looks at the Marine Living Resources Act of 1998, the manner in which it has been conceptualised and the way that this has influenced its implementation. The focus of the investigation is the historic fishing village of Kassiesbaai on the Cape's south coast, looking at the ways in which discursive differences play out between resident long-term fishermen, the government officials who introduced the new legislation and those who are tasked with implementing it, and a group of marine fisheries experts and researchers who have, or have had, influence over the policy process. Eight weeks of fieldwork were undertaken in Kassiesbaai January to March 2007, focussing on the long-term resident fishermen and their families. Observation, interviews, informal discussions and everyday interaction were the primary methods of data collection, supplemented by archival and publications research. The second phase of research involved further follow-up visits and interviews and correspondence with relevant parties in Marine and Coastal Management and scientists working in the marine fisheries sector. It is argued that the failure in this instance of these three groups to successfully engage with one another over the issue of marine resource management stems from the lack of trust between these groups, exacerbated by the variant ways in which central issues are framed by each. The primary difference concerns the manner in which the ocean is imagined. A further discrepancy concerns temporality, the manner in which time is conceptualised and actions scheduled or expected due to respective conceptions. The third main discrepancy which affects the process is the values that are attributed to the ocean by those who use it and speak of it. The heritage status of Kassiesbaai is discussed, and the conclusion drawn that while it is imperative to value the historical nature of the village and its residents, plans for their present and future must not suffer for it. From here, the possibility of dialogue is investigated in order to plot a path towards successful socio-ecological development that will both protect the biological stability of the sea and the socio-economic well-being of the impoverished community of Kassiesbaai.

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INTRODUCTION

The climatic changes that the world is undergoing, coupled with the fierce momentum of globalising trade and consumption, has negatively affected the Earth's resources to such an extent that, perhaps for the first time in our long history, the finite nature of our environmental assets is a common concern across the international arena. Broad measures are now being taken to ensure that the speed of consumption and exploitation of the world's natural resources slows down sufficiently so as to be used more sustainably in the future. The management of natural resources is in the process of being adapted to this scenario, leading to changes in the way they are accessed and exploited. All spheres of life are affected by this, from industry to domestic life to agriculture. But while this future is being planned for, the present circumstances of many people have been affected by top-down measures in ways that are highlighting the problems inherent in attempting to make the big picture fit into a local frame. What is also becoming clearer as some of these projects progress, is that the conceptualisation of resource management strategies are in many instances not meeting the goals of sustainable development, often due to the discrepancies of intentions and aims between involved parties.

This dissertation looks at the Marine Living Resources Act of 1998, the manner in which it has been conceptualised and the way that this has influenced its implementation. The focus of the investigation is the historic fishing community of Kassiesbaai on the Cape's south coast, looking at the ways in which discursive differences play out between resident long-term fishermen, the government officials who introduced the new legislation and those who are tasked with implementing it, and a group of marine fisheries experts and researchers who have, or have had, influence over the policy process. It is argued that the failure of these three groups to successfully engage with one another over the issue of marine resource management stems from the different ways in which central issues are framed by each. The primary issue which affects communication is the manner in which the ocean is imagined. A further discrepancy concerns temporality, the manner in which time is conceptualised and actions scheduled or expected due to respective conceptions. The third main discrepancy which affects the process is the values that are attributed to

the ocean by those who use it and speak of it. The possibility of dialogue is investigated in order to plot a path towards successful socio-ecological development that will both protect the biological stability of the sea and the socio-economic well-being of the impoverished community of Kassiesbaai.

Background

In light of South Africa's increasingly pressurised living marine resources, the then-Minister of Environmental Affairs and Tourism (Dr Z Pallo Jordan) introduced new legislation that drastically altered the way in which the nation's seas are governed, accessed and exploited. Known as the Marine Living Resources Act Number 18 of 1998, this piece of legislation frames the issue largely in terms of the negotiation between environmental and economic considerations. While much of the governmental literature and releases on the Act proclaim the need for the "transformation" of the South African fishing industry and the empowerment of the "historically previously disadvantaged" (as the phrase is used in the literature), the implementation of the Act has resulted in the loss of access rights in the fishing sector on the Cape South and West Coast, and has therefore been met with much bitter and sustained resentment, as noted in and voiced by many public and often violent confrontations between communities and police. While the oceans and their bounty appear to be protected by such measures, many localised and often economically isolated communities reliant on them are now set adrift.

The problem is that this Act, while necessarily protecting the marine resources to a greater extent, has overlooked the many communities whose main source of income and, at times, food, has come directly from the ocean, and who cannot compete with other larger fishing operators for the limited quotas. Neither of the two broad categories of 'commercial' or 'recreational', caters to the needs of subsistence fishermen. Amendments are being made to address this, but the process of identifying the communities and individuals who are to benefit from this proposed legislation opens up a whole new set of problematics that puts further strain on intra-community and state-local relations. One such problematic is the requirement to prove one's subsistence status in accordance with its legal definition.

Kassiesbaai is the only fishing community in South Africa where people still live on the land of their forebears through having fought successfully against more than one wave of Apartheid land policies. Many of the surnames which appear on the 1906 land rights petition, in which the community appealed against attempted forced removals, are still carried by families today living on the same plot. However, it is a town with little if any economic industry in its own right besides fishing and seasonal employment in tourism. It is fairly isolated, as it lies on a 24km road that passes through farmland and ends at the town entrance, making Bredasdorp the closest town. Both of these factors are economically limiting and are exacerbated by the general lack of transport amongst the residents. The residents of Kassiesbaai have until recent years depended on the sea and its harvestable resources. Though the old rowing boats are now fitted with motors, they still fish with hand-lines and trek-netting. The sea was a way to feed one's family, as well as support them materially through an income. After the implementation of the MLRA in 1998, Arniston's small slipway serving about twenty boats ceased nearly all activity and slowly the rate of poaching has increased in the community of out-of-work fishermen. The very heritage status that was granted to the community, which saved it from Apartheid legislation, has in several respects locked this community into a certain way of life which is no longer feasible in its 'traditional' image. Moreover, it lays material and socio-cultural expectations on them in terms of aesthetic regulations governing their homes and through of representations of them advertised to the wider world.

Intention

It is my belief that a complex and localised view of Kassiesbaai and its particular history, engaged with through the residents, will help generate insights into the manner in which the current fishing legislation has impacted life in the village and how some of these effects can possibly have been mitigated. It is my intention to combine this approach with a perspective that pays strong heed to ecological considerations with which it is imperative to comply towards the end of economically- and environmentally-sustainable development.

My area of research encompasses the relationship between the fisherman of Kassiesbaai (and their families) and the sea, as well as their relationship with the wider South Africa and the State. It engages in a dialogue with marine experts –biologists working outside and inside the sphere of policy development and implementation – to track differences in discourse employed in the process and how these at times come into conflict. This has not been an event, but a process that has been in motion for the last decade as people in Kassiesbaai slowly, often painfully, have redirected their individual lives and collective life away from fishing.

The questions facing Kassiesbaai, now, are immense. What can be done now that the changes have been affected? What possibilities are there for economic activity that could ameliorate the effect of the legislation? Possibly the most obvious area for economic development would be greater involvement in the local area and town's increasing tourist trade, especially as "Kassiesbaai" itself is such an aesthetic and cultural attraction. However, it could easily be harmful to the village if their communal identity becomes an object of market appeal. An urgent question, then, is: How can the inherent skills and knowledge of the community of Kassiesbaai be mobilised for economic activity besides fishing, while still maintaining the community's close historic ties with the sea and local environment? It is my belief that any future economic activity will necessarily have to involve the sea but that various factors point out that fishing for commercial gain is no longer feasible as the primary activity in this arena.

My framework for this project consists of an overview of the South African national fishing policy; a discussion of contemporary work in the field of marine policy by a variety of professionals and academics, and a discourse analysis looking at the various perspectives and conceptualisations utilised by the three broad categories of fishermen, the state (as embodied in legislation and official policy) and marine experts (academics and professionals)¹. Using thick description, interviews and archival research, I present a history and contemporary illustration of life in Waenhuiskrans,

¹ These three categories, as stated here, are broadly generalised and will be more carefully described in Chapter 3. It is not my intention to attempt to lump all marine scientists, all government officials or all small-scale fishermen into these groups; I refer only to those who have had impact on the community of Kassiesbaai.

detailing the changes in the environment and daily life of individuals and the greater social grouping.

Notes on Method

My research involved unravelling how events in the past affected and changed Kassiesbaai's fishermen and their families' relationships with the sea. Primarily data-gathering has been via interviews and conversations about the sea. As I am a mother-tongue Afrikaans speaker, all my fieldwork was done in the participants' first-language. The interviews I did largely focussed on the history, the present and future of Kassiesbaai, progressively teasing out the issues at play.

I initially undertook ten weeks of fieldwork from January through March 2007. This is a particularly busy season in Waenhuiskrans, with a huge turnover of tourists who are often viewed as competitors with the resident fishermen for the strained local resources. This was a good time to gain a greater understanding of the pressures placed on the local environment; the methods with which the resident fishermen navigate the congestion, and how they regard the nature of these resources. A sense of resentment was evident in many of the local fishermen at this time due to the ease with which recreational fishermen receive permits, and have access to expensive equipment (such as rubberducks) which allow them to reach the resources and 'spots' with greater speed and frequency.

In my research proposal and prior to entering the field, I planned to utilise a range of research methods. I was expecting to do a series of formal and informal interviews, hold focus group discussions and ranking exercises, and participate in walkabouts and life-history mapping. It took me all of the first few hours of my fieldwork to realise how naïve I was. Eagerly approaching residents, I soon realised that the fact that I was doing my Masters in Social Anthropology naturally meant very little to them, and as I was unable to tell them (or promise them) exactly what material benefits this would have for them as individuals or as members of the village, it was not in their interest to take time out of their lives to sit with me so that I could get my degree based on their experiences. I was shocked by my presumptuousness. What I realised was that I was part of a

category identified by those I spoke to as “researchers”, who are often viewed with an attitude bordering on contempt.

So the first phase of my research was what can be termed “deep hanging out” (to use James Clifford’s term), making myself highly visible (hanging out at the slipway and sitting in on a regular sewing circle in the craft centre) – and thereby establishing that I was not a weekend researcher or journalist who was simply going to leave in a day or two. I proceeded to ask many questions about things I was seeing that I really didn’t understand or more often, even know about - e.g. what kinds of fish they had caught, how they caught them, what was a good fish etc. These created amusement in my educators, and they enjoyed setting the young *stads-japie*² straight.

I am very much at home in the village of Arniston, and have been since the age of about 6 – thus I know many people in Kassiesbaai on a personal level. This long-term connection with the place is the reason why I undertook this project – I care deeply for the place and the people. This connection had great potential for me in terms of starting my fieldwork in a community who already know me and would not necessarily be that uncomfortable with me now that I came under the alien title of *antropoloog*. However, this familiarity has had its problematic side too.

My father and mother both retain certain roles in the village respectively. My father is involved in various committees, trusts and projects in the town and village, an involvement which often results in some conflict, as development work so often does. My project is in no way tied to his various involvements, and I was at great pains to point out that my work is not tied to him in any greater capacity than the coincidence of our personal relationship

My mother, too, is a relatively prominent, in the support she offers to the craft-centre and the pre-primary school. She is often asked for things by various people in Kassiesbaai, requests which are granted when it is in her capacity to do so. This hierarchy is another I had to clearly disassociate myself from. I had to make it clear that I am unable to *give* them anything, only remunerate them according to ethical guidelines

² Approximately ‘city-slicker’.

offered by professional anthropological associations³ if an expense had been incurred on their behalf in the process of participating in the research. As mentioned previously, this inability to offer anything of material value often made the purpose of my research difficult to explain to people who were, and remain, in need of significant changes to their local infrastructure or material resources.

While in the initial stages of the research, I feared that both my parents' close association with community in their varying capacities would hinder a building of an open rapport, yet I soon found that the knowledge that my mother was a resident in the town and that both were actively involved in a number of projects encouraged those with whom I spoke to open up, as I had long-standing links to the area. This again strengthened the tangible sense of cohesion which I have always experienced represented in the residents' collective conduct with "outsiders". This did obviously not give me free access to residents and their homes, nor did I advertise it, but on more than one occasion I was greeted with "*O ja, jy's Marie se kind*" (Oh yes, you're Marie's child), which was an opening for conversation.

My first step in negotiating these various issues was then the manner in which I introduced the project to my potential participants. I did this face-to-face on an individual basis, discussing my reasons, goals and methods with each in a relaxed manner, while encouraging their questions and taking serious note of their suggestions. On occasion this was not enough to reassure individuals of my intentions, so I drafted a letter of intention and offered signed copies to those who desired it to peruse in their own time and come back to me with any questions. It seems that the printed word held some authority in this case, as often when I presented the letter to them, seeing that there was a letter was enough to ease their minds and only a very few people asked for a copy to take away.

As my intentions became more known in the village, increased opportunities for sit-down interviews presented themselves. The first portion of these was largely with the older generation, with persons such as Oom Sam, Oom John and Tannie Dorie. I then

³ I here refer to the Guidelines for Anthropological Research as endorsed by the UCT Department of Social Anthropology and the American Anthropological Association's Committee on Ethics Briefing Paper on Remuneration to Subject Populations and Individuals and the Briefing Paper on the Impact of Material Assistance to Study Populations.

made more contact with their adult children (mostly between the ages of 30 and 45). My questions initially focussed on asking them to tell me stories about the sea and life in the village. The intention was to let the participants know that I welcome their suggestions on what I am doing, what questions I'm asking and to whom I should be speaking. I had formulated a list of questions broadly dealing with issues of history, heritage, relationship with the sea, life histories, personal skills and knowledge, perceptions of the present and predictions of the future. However, rarely did I have the chance to ask the questions as I had them written, since the participants seemed eager to talk about those very things – save for life histories, as personal details are considered quite intimate among the residents for a number of reasons and it would very much be considered prying if I questioned them too much. For this reason, life histories do not play the part in my research I had initially envisioned. A reason for the privacy over such matters was briefly explained to me by a woman I have known since the age of 7, Mary, who told me that in such a small community things “get complicated” (*raak deurmekaar*) and often connections and events are simply never spoken of again. If unacknowledged amongst themselves, I could not expect these things to be spoken of to me, was the message received.

The participants in my project had the right to enforce a change of approach or direction if the line of questioning became uncomfortable for them, and review the data I gathered from our conversations together. However, no participant ever asked this, and when I offered it to several of my interviewees, they declined. Furthermore, when I requested the possibility of follow-up interviews, the majority told me that it was not necessary as they had told me everything already, and politely declined to grant such time again. When I had further questions to ask, I would seek them out casually, and ask one question at a time – not desirable but all I could manage without making a direct nuisance of myself.

Each participant in my project retained the right to request anonymity if they so desired, and this was done on a number of occasions, not because the information was particularly sensitive, but (according to the reason most often given) because they did not want someone to take issue with them saying something, whatever it might be, to an outsider. When requested, I have changed names for the person spoken to, as well for the

people and places that they reference also. This is necessary because of the relatively small population and the resultant familiarity between its members.

When issues or information surrounding the subject of local poaching or other illegal activities arose, I was careful to move away from a discussion of specifics and make it clear to the participant involved that I cannot guarantee the security of such information and that it should therefore rather be avoided. However, some chose to speak of it in coded ways nonetheless, as it is a significant feature in contemporary life in the village.

My contact with the youth (high-school and younger) was much less than that with the older generations. There was a much greater reluctance to interact with me, and it is the only group within the community from which I have on the odd occasion felt tangible hostility. The much younger children were more open to me, mostly engaged with on the road or beach, out playing after school. However, they were all very shy, and gave the shortest answer possible, frustrating any attempts to draw them out. After an interview with the headmaster of the village's primary school (Mr Andre Marthinus) and on his suggestion, I set up a questionnaire for the Grade 6 and 7's (see appendix) which was given to them to fill out during a life-skills session. I was told that the teacher would do it with them, as he did not think my presence would elicit any deeper engagement (this was said quite firmly and I felt compelled to not push the matter). This makes the analysis of the questionnaires problematic, as I have no idea how the questions were asked or if the answers were even nominally coached. Without it being my intention, it seems that the questions fit into the syllabus that they had been working with that term. By way of thanks I bought the children a number of multicoloured rulers in return for completing the questionnaires, a classroom tool that the principal noted most of the children lacked.

Beyond the residents of the community, I interviewed a number of officials, experts or interested parties. These included members of SAHRA (the South African Heritage Resources Agency); various local committees (the Waenhuiskrans Conservation Association, the Rate-payers Committee and the *Visserunie*⁴); long-term residents of or visitors to Waenhuiskrans and officials from the Department of Environmental Affairs

⁴ Fishermen's Union.

and Tourism (DEAT) and Marine Coastal Management (MCM) who have had direct contact with the community. I conducted interviews with several marine biology and policy experts, most notably Dr Amos Barkai of the Ocean and Land Resource Assessment Centre (Olrac), who along with his partner Mike de Bergh acted as consultants to the ANC prior to 1994 and to the ANC government post-1994 on proposals for the transformation of the South African fishing industry.

Since March 2007 I returned to Waenhuiskrans several times to maintain contact with the residents and attend some official meetings between the community and the MCM and/or DEAT. May to August is a difficult time for fishing activities, as winter makes launching almost impossible off the weather-permitting slipway and the catch is often meagre. Researching during this time left me very ethically anxious, as intruding on a situation of poverty for the sake of research (when I cannot aid it practically), struck me as wholly inconsiderate in this instance and I stopped doing it formally, though I stayed on in the town and continued my observations.

Goals of Research

I have a number of goals in mind for this dissertation. Firstly, I would like my project to be of use to the residents of Kassiesbaai, in that they might use the experience and product of it in order to work towards what they want, or need, for the future of their village. I certainly do not presume that this project will change their lives, but perhaps it will at least contribute to giving them grounds to develop other things that might, such as developing a channel of access to the wealth generated by the marine resources by tourism instead of direct exploitation. I sincerely hope that the work I have done in my investigations will help facilitate discussion between the state and the local community so as to work more productively together towards the easing of the socio-economic dilemmas illustrated and discussed in this project.

Secondly, I plan to submit an executive summary of my work to the Department of Environmental Affairs and Tourism, illustrating the complexities of the situation as it exists on the micro-scale, taking the debate beyond the simplistic binary of fishing versus poaching. It is my belief that by working closely with residents, the potential for locally relevant, practical and responsible solutions for problems of socio-economy and

environment will be increased. Vital to the discussion and implementation of such possible solutions is the amelioration of the current conflict between administrators and citizens. This goal can only be reached when the obstacles to constructive dialogue have been identified and negotiated by all members of the attempted conversation – the only way that such a process will be invested in by all the interested parties who are attempting to be stakeholders.

This work highlights other questions to be asked and illustrates the importance of paying attention to an isolated and under-privileged community such as this one, which (despite its placement and size) is directly suffering under changes induced by global and national economic and environmental phenomena. This project is by no means aimed at trying to champion the cause of unrestricted access to the ocean for the nation's fishing communities, but an attempt to understand why the legislation has been met with such criticism from both the small-scale fishermen and certain academics and experts. It is an investigation of several interacting discourses, and an evaluation of the resultant products of these, and the impact this has on the fundamentally important goal of prolonging the life of the world's living marine resources.

Chapter One:

“Transformation”: The Reform of South Africa’s Marine Resources Legislation

This chapter looks at the transformation of South Africa’s fishing industry after the advent of democracy in 1994. It looks at the history of the changes, and offers an overview of the current legislation in relation to Kassiesbaai. While the Marine Living Resources Act of 1998 is a broad body of policies that affect all scales of South African fisheries, the discussion is limited to those regulations that affect the small-scale and subsistence fishermen categories, which are the relevant categories of fishing activity in Kassiesbaai.

The State of the Fisheries in 1994 and the Process of Change

When the ANC government came to power in 1994, it was faced with the mammoth task of building a new South Africa. Central to this was the need to redress the past injustices and oppressive structures of not only Apartheid, but the legacy of 300 years of colonial rule. Various sectors of industry were identified as focus points for the process of transformation, not only due to their discriminatory nature but also the high levels of capital generated by them. The fisheries sector was one such industry, a highly lucrative economic endeavour that exploits the diverse marine commons of South Africa (Crosoer *et al*, 2006:24). A fuller description of the state of South Africa fisheries in 1994 is offered by Hersoug (1998:78), describing the chief characteristics of the industry at that time:

...An extremely uneven distribution of resources between whites and blacks (defined to include Indians, Coloureds and Africans); a skewed distribution of fish resources between small-scale and large-scale operators; a totally uneven distribution of fish of catching and processing possibilities; a fisheries administration dominated by white politicians and white administrators with little legitimacy among the predominantly black coastal population.

To put it into numbers, at that time only “0.75 percent of the sum of the commercial TAC (Total Allowable Catch) of all species was allocated to ‘black’ ethnic groups” (Hauck & Sowman, 2003:41).

According to the co-founder and director of the Cape Town-based Ocean and Land Resource Assessment Consultants (Olrac) Dr Amos Barkai, his company was approached by “members of the ANC” before the 1994 elections, regarding the commissioning of an investigation into the state of South Africa’s marine resources and their exploitation, with the view to making proposals for the redistribution of fishing rights to the historically disadvantaged and transformation of the domestic fishing industry⁵. It is noteworthy that a private company was approached to conduct this research, as the Sea Fisheries Research Institute, under the authority of Sea Fisheries and therefore the DEAT, was well-established at that time and involved in the very sort of research required for such an investigation (Badenhorst, 1997:2). This implies that the members of the ANC who were tasked with commissioning this research desired to use a body entirely unconnected with the previous regime. As Badenhorst (1997:6), a government scientist who had worked under the previous administration, says: “Government scientists are seen in some quarters as an extension of the old regime in South Africa.”

The process was officially initiated by the Minister of Environmental Affairs and Tourism in the 27th of October 1994; in December of that year a meeting was held to finalise the structure of the earlier proposed Fisheries Policy Development Committee (FPDC) (Hersoug 1998:84). Other than those of policy, issues concerning representation within the committee soon arose, resulting in the committee ultimately consisting of 150 members – ten representatives from each sector in the industry (ibid:85). Though a participatory process was followed (with formal and informal discussions at various levels), the final report presented to the Minister was regarded with strong reservations from some sectors (ibid). The White Paper on Marine Fisheries Policy in South Africa, after more consultations, was presented to Parliament in May 1997.

Hersoug criticises the document produced by the FPDC, calling it “no recipe for redistribution” (1998:85). He gives three reasons why: “The FPDC was never given the status and resources required to formulate an entirely new policy...”

⁵ Interviews conducted with Dr Amos Barkai at Olrac offices in Steenberg, Cape Town, 25 and 31 July 2008.

Difficult questions, such as the extent of redistribution, and mechanisms for black empowerment had to be left out, as consensus was impossible...

Finally, the setting up of the committee reflects some of the problems operating in a sector where some interests are very well organised [big business and organised labour] while others are poorly organised [small-scale and subsistence fishermen]." (Hersoug 1998:86) From Hersoug's discussion of the content of the document:

The starting point is that all marine resources are "a national asset and heritage of all its people" and the custodianship is vested with the State...it is the State's responsibility to allocate rights to utilise these resources. Access rights should therefore be allocated to existing and prospective users, based on a set of agreed criteria, such as capability, historical involvement and past performance, contribution towards the development of the fisheries, labour relations and social responsibilities... [and] should in principle be long-term and transferable... The FPD Committee proposes development in two phases: one transitional where (some of) the inequities of the past are addressed by accommodation of newcomers and the possible use of affirmative action, and a phase two when free enterprise principles will operate and any need for preferential treatment will disappear... The key principle of the proposed policy is that there will be 'no arbitrary or sudden removal or decrease of the access rights of any holder, current or future' and that 'restructuring and broadening participation will be carried out whilst maintaining stability within the fishing industry... This policy will seek to minimise adverse effects on existing holders of rights, the associated labour force, communities and other legitimate stakeholders'.

Hersoug 1998:87

Hersoug's final judgement of the document is that there is no attention paid to what he considers to be the main challenge of improving access for the former underprivileged (ibid). His argument is that through an alliance between big business and trade unions, the benefits accrued from the changes have not filtered down to the small-scale and subsistence fishermen; that the redistribution has occurred horizontally rather than vertically.

The Marine Living Resources Act of 1998

In August 1998, the then Minister of Environmental Affairs and Tourism, Dr Z Pallo Jordan, presented the Marine Living Resources Act, which came into effect on the 1st of September of that year. In his statement introducing the Act, the Minister explained that

it was developed within the context of two overarching realities. Firstly, the rising expectations of the historically excluded who now desired full access to the nation's marine resources, and secondly, the wider context of free trade and deregulated markets that he named the dominant ethos of international relations. In the words of Lance van Sittert, an environmental historian, "Apartheid further exacerbated questions of state legitimacy and economic equity on the marine commons and bequeathed the post-1994 government the daunting challenge of re-legitimising the state and appeasing the popular demand for redistribution *within a market framework*" (2003:200; my emphasis). Thus the state is fundamentally concerned with the economic value of the resource, and that the economic context is given as the primary one within which the 'transformation' is to take place. Sustainability and environmental concerns only appear later in the document, they are to fit within this market framework and not the other way around – the market is not to be fitted to sustainability.

This is made clearer by the language used in *Fish for the Future*, an informational booklet introducing the MLRA to the public, in its outline for the aims and intentions embodied in the act:

- The need to use marine living resources in a responsible way that will help ensure sustainability and stability of future use.
- The need to manage marine living resources carefully, by applying precautionary approaches: if fisheries managers do not have enough information about a resource, then they must allow people to only catch only small amounts of fish - until they have enough information to make responsible decisions.
- The need to use marine living resources in such a way that the economy benefits, jobs are created and the country develops.
- The need to manage marine living resources in an open and transparent way: everyone with an interest in fishing must be able to give their opinion on important matters.
- The need to restructure the fishing industry so that those people who were disadvantaged in the past now have an equal opportunity to make a living from fishing.⁶

In each point made here, the centrality of the market and exploitation is highlighted. It clearly paints the ocean in economic terms, and very little lip-service is

⁶ *Fish for the Future: The Marine Living Resources Act 1998*. Booklet adapted from the 1999 National Marine Day booklet produced by the Chief Directorate of Sea Fisheries (now Marine and Coastal Management).

paid to environmental concerns for their own sake – the stability sought is not that of the ecology so much as of the industry. What is also noteworthy, is that the issue of access rights to a finite resource is not addressed, as it was explicitly done in the media statement for Dr Pallo Jordan which has been discussed previously. As the booklet is aimed at the coastal communities of South Africa, it is likely that such a contentious issue has been left out of the general discussion as it would negatively affect the transmission and reception of the information on the other relevant issues contained therein.

The following description of the legislative framework of the MLRA is taken from the *Fish for the Future* booklet (pp 4-8). The MLRA makes provision for the existence of a representative committee of 17 people, known as the Consultative Advisory Forum (CAF), which is there to advise the Minister on decisions pertaining to the Act and related matters, such establishing the Total Allowable Catch (TAC). Other interest groups who do not have a representative seat on the CAF must make their complaints and recommendations to the minister through the forum. With the MLRA, the granting of quotas and administration of the nation's sea territory was transferred to the office of the Minister, where before quotas were handled by the Quota board, and the management of South Africa's renewable marine resources was in the hands of Sea Fisheries, a Chief Directorate of the DEAT, and is now under the control of Marine and Coastal Management (Badenhorst, 1997:2). Most of the money made from fines, levies, payment for permits and licenses as well as from the sale of confiscated goods is to be paid into the Marine Living Resources Fund, which is for the use of Marine and Coastal Management in management, research, monitoring and adherence initiatives. The Minister must consider new entrants in the fishing industry, when deciding who has the right to fish, especially those who did not previously possess the right. It is also his duty to stipulate the length of the rights granted, but the Act says no longer than 15 years. It is also in his power to stipulate what gear may be used, the areas that may be fished and he can also close down a fishery if the resource is seen to be severely strained or mismanaged. In other words, the Minister of Environmental Affairs and Tourism has an enormous amount of power to control what happens in the fisheries sector.

Subsistence Fishers

The definition offered for a subsistence fisherman by the Act is “someone who fishes for survival.” The Minister is permitted to declare a community that is dependent on fishing for its survival as a subsistence fishing zone, with specific rules applying to such a status: The fish that is caught by a fisher must be eaten by the fisher and his family, or by the community; any extra fish that is not eaten by the community may be sold in the subsistence fishing zone but it cannot be transported to a zoned area for sale; only the fisher who caught the fish may sell it; subsistence fishers may only catch the legally stipulated amount (*Fish for the Future*:6-7).

As will be discussed in Chapter Two, the settlement of Kassiesbaai is largely dependent on fishing for its survival as a collective, specifically as a community of historic fishermen. It is an ideal candidate to be declared a subsistence fishing zone, but the regulation which stipulates that the fish caught may not be sold outside of the zone in which it was caught, complicates matters for the fishermen of Kassiesbaai. During busy seasons there are plenty of buyers for extra fish, but during the winter or other lulls during the year, it is not always possible to off-load the fish in Arniston/Waenhuiskrans itself. Such a regulation is a problem as such rights grant the fishermen stability of access, but not stability of income. The term subsistence connotes “living off the land”, or the idea of self-sufficiency, but it must not be forgotten that there is not a community on the South African coast that is without the needs or desires of the market economy – a person cannot live on fish alone, nor pay school fees with it. Indeed, the activist groups of the Artisanal Fisher’s Association and Masifundise vehemently oppose the label ‘subsistence’ as it does not allow for this aspect.

According to Hauck and Sowman (2003:38):

Prior to 1994, subsistence fishers had no legal rights to access marine resources and were not recognised as a distinct and legitimate group in the legislation governing fisheries management...[the] harvesting of marine resources by these fishers was considered legitimate only when their catches fell within stipulated bag or size limits or their activities complied with the provisions governing recreational fishers.

The new legislation is therefore a positive development on the past situation, but despite the creation of the category of subsistence fishing, and the interim relief measures

for fishers produced between the Minister Marthinus van Schalkwyk and Masifundise⁷ in 2007, the actual identification of such categorised persons and granting of such rights has been slow to materialise for a number of reasons. While the Subsistence Fisheries Task Group was formed in 1999, presenting its findings to MCM in 2000, “implementation of the recommendations has been delayed due to a lack of capacity and resources” and this category has been neglected due to the “excessive attention given to developing legally robust permit applications and allocations procedures in the commercial sector” (Hauck and Sowman 2003:50-52). By 2007, the situation had not improved, prompting discussions and meetings between subsistence fisher groups and the DEAT, resulting in the introduction of the interim relief measures in 2007. In the words of the Minister’s press statement:

It has been agreed that Masifundise will identify not more than 1000 bona fide traditional artisanal fishers, who do not hold a commercial fishing right allocated in terms of section 18 of the Marine Living Resources Act No. 18 of 1998 and who can demonstrate both historical dependence and reliance on fishing along the Cape west and south coast between Port Nolloth in the north and Arniston in the south, and submit these identified persons to the Department of Environmental Affairs and Tourism.⁸

The phrase “bona fide traditional artisanal fishers” is problematic, as the parameters for deciding such cases are not given in the legislation but are left to the discretion of those with the decision-making powers. Who is to judge who is bona fide or not? While Masifundise is a highly active and representative organization, this is a lot of power to wield in a volatile situation wherein not all invested or involved parties are necessarily thinking along the same lines. It is too easy that in such a situation the criteria for judgement are developed along an essentialist framework – especially

⁷ Masifundise Development Trust is an independent, non-governmental organisation working with small scale and traditional fishing and coastal communities in the west and south coasts of the Western Cape, South Africa. Although in the last six months, their fieldwork has taken the organisation into the east coast in areas such as the Eastern Cape and KwaZulu Natal. The organisation is the only non-governmental organisation in South Africa working with fisher and coastal organisations in the region and has been engaged with policy development processes in this regard for the past eight years (www.masifundise.org).

⁸Statement by the office of Marthinus van Schalkwyk, Minister of Environmental Affairs and Tourism, 3rd May 2007. “Minister announces interim relief measures for fishers.” http://www.mcm-deat.gov.za/public_notices_archive/2007/03052007.html

considering that in the large geographical area identified, Port Nolloth to Arniston, only a thousand fishers are to be identified. This means that some fishermen will receive such rights, but that most or many will not. Coupled with the fact that the applicants must “demonstrate” their historic and traditional use of and reliance on the sea, the scene is set for intra-community conflict, as fishers must compete with their friends and colleagues in a test of their authenticity. In a community such as that of Kassiesbaai, already feeling the strains of jealousy as some are suffering the hard times more than others, this is a destructive process that will potentially fragment the collective further. It is also only an interim measure, which means that after this whole process, the rights are not guaranteed to be long-term, and so offers little durable security to those who do end up benefiting it.

Transformation

Van Sittert (2002:296) points out that there is a contradiction between the two realities which the government seem to want to satisfy with the implementation of the MLRA: “...the national context gave the fisheries reform an explicitly social welfare cast... [but] the state’s ability to fulfil this task was in turn shaped by broader international ideologies about the appropriate role of the state in the economy.” The level of government intervention required to transform the industry was incompatible with the neoliberal ideals of deregulation and free trade that call for the increased removal of government from the mechanics of the economy.

In the words of the Minister, in light of these identified “realities” the Department was required to “create an environment” that would make the South African fishing industry both more internationally competitive and domestically stable by making it more equitable. The core belief that underlay these considerations was the acknowledgement that all of South Africa’s marine resources and the environments in which they are found are together a national asset, and thus the heritage of all its people, making it imperative to manage and develop it for the sustainable use by present and future generations (1998:1). However, from the very beginning the possibility of satisfying all possible claims on the resource was rejected as impossible, in recognition of the finite nature of the resource, Dr Jordan stated that:

Our determination to achieve more equitable access to our Marine resources must, however not be confused with an expansion of those resources. This means that not everyone who wants to fish, not everyone who applies for a quota, will, from the 1 of September, be guaranteed that he will receive a quota... All we can promise is that the process will now be free of racism; that it will be fair and that it will not discriminate against anyone on grounds of race, colour or creed.

(1998:3)

While it is not directly addressed in the media statement, the pressure to comply with the “international ethos” of free trade and deregulation implies that the commercial sector and specifically export will be ensured security and will remain relatively free of government intervention. As van Sittert (2002:296) notes, the legislation aims to “grant the ‘historically disadvantaged’ access to marine resources without destabilising the established industry”. He likens the fisheries transformation of the 1990’s with that of the same in the 1940’s, noting that then and now a populist agenda required state intervention to redistribute away from the monopolies - but notes that this interventionist agenda was scuttled on the opposition of the fishing industry to the MLRA as they fought against a potential surge of new entrants that would impose on their quotas and catch-sizes. According to van Sittert, the effect of the legislation has, contrary to the initial intentions of the government, been to “confirm and even strengthen big capital’s monopoly over the marine commons, contrary to [...] stated aims and popular expectations” (2002:296). More explicitly:

Big capital’s post-apartheid dividend was further enhanced by the embrace of neo-liberalism in domestic economic policy, which severely circumscribed forms of state intervention and emphasised competition in the global market place as the most important criterion for judging industry. (Crosoer, van Sittert & Ponte 2006:21)

Masifundise and other groups representing small-scale fishermen have levelled criticism in the same vein as this against the DEAT and the relevant legislation. As per the presentation of Andy Johnston (chairman of the Artisanal Fishermen’s Association) at the May 2007 Fishing Industry Transformation Public Hearings, the policy implementation was having “a disastrous effect”. He complained that many fishers had been left out of the development and discussion process, which ultimately only served to entrench the interests of “rich white opportunists”. In his understanding the interests of

the government and scientific community are being met over and above the consideration of South Africa's coastal fishing communities: "If the disadvantaged peoples and the oppressed majority have to take their place in a better South Africa then we should start weeding out the control of these ruthless greedy racist haves starting with the Science fraternity, MCM, Environmentalists and Government [sic]." (Johnston, 2007:4) Submitted at the same hearing, the memorandum of the South African United Fishing Front (SAUFF) expresses "extreme dissatisfaction with the processes that were followed in the allocation of long-term fishing rights", calling its impact "devastating" (SAUFF, 2006:1).⁹

As can be seen from the discussion and opinions presented, many regard 'transformations' as an unsuccessful attempt to redress economic inequalities. The process is seen as disregarding the underdog in submission to the requirements of industry, leading to transformation along racial, but not socio-economic, terms. This means, as discussed by van Sittert (2002:295-296) and more deeply engaged with in chapter three, that the transformative intention of the legislation reform was not fully met. A reason for this, implied by Hersoug 1998 and the SAUFF memorandum among others, is that the process of developing the new policies was not sufficiently participatory (despite public participation hearings held in various centres along the coast in order to discuss proposed changes), with some sectors of the industry enjoying much better funded and organised representation than others, leading to an unequal discussion.

Participation and Co-management

Enshrined in the South African constitution and in the MLRA is the ideal of public participation (Hauck and Sowman 2003; van Sittert 2003), a process which is hoped to embody a kind of macro co-management and lead to inclusionary practices and across the board acceptance and compliance. Co-management is increasingly claimed to be the panacea for the state of the world's fisheries, ensuring policy that is accepted and fishers that are compliant with regulations because they helped formulate and implement them (ibid. & Hara 2003:18).

⁹ Copies of both submissions (Johnston and SAUFF) accessed on <http://www.pmg.org.za/minutes/20070507-fishing-inudstry-trasnformation-public-hearings>

Co-management is a “paradigm shift in natural resource management that supports the participation of resource-users in decision making and management”, merging “the interests of government (to achieve efficiency and sustainability) with those of local communities (concerns for self-governance and active participation)” (Hauck and Sowman 2003:3). There exists no single, universal model of co-management, as the specific temporal, spatial and historic context and scenario of each community must be negotiated and allowed to determine the shape and form of the process – including the ratio of power sharing and the structures through which this is achieved.

The National Environmental Management Act (NEMA) 1998 provides the framework for environmental governance in South Africa, which translates the environmental rights and principles as embodied in the constitution into legal provisions and procedures (Hauck and Sowman 2003:48). Importantly, NEMA strongly advocates the need for the establishment of partnerships (across vertical and horizontal levels) and cooperation agreements in the management of natural resources (ibid). Hara gives three arguments used to “justify the increasing adoption of co-management” (Hara 2003:21). These are: “concerned interests ought to be heard; information from users could result in the improvement of management decisions; co-management could ensure the legitimacy of the management system” (ibid). Another reason given by Hara is that researchers are increasingly using their work to refute and revise Hardin’s 1968 *Tragedy of the Commons*¹⁰, asserting that such an outcome as prophesied in this work is not universally applicable or expected in all common resource situations (ibid:22). The expected or anticipated, as opposed to guaranteed, benefits of the co-management process or formula are given by Hara:

...It will result in participatory and consultative democracy, thereby broadening the amount of knowledge that will influence decisions. This should lead to better regulations while in effect increasing the legitimacy of the regulatory system. Better regulations and increased legitimacy should ultimately result in greater adherence to regulations, thereby resulting in a more proficient system and an efficient management regime.

Hara 2003:23

¹⁰ Hardin’s 1968 essay on the exploitation of the commons, or common resources, predicts (in simplified form) that common access to resources is unsustainable and that, due to a human nature that is fundamentally self-regarding and –serving, it will inevitable lead to a degradation and collapse of the resource.

Van Sittert (2003:200-201) criticises what he sees as evidence of a blind faith in the idea of co-management, calling it a “very broad church, whose converts attach a range of more or less specific meanings to its teachings in the rapidly expanding literature ... strangely oblivious to the curious mix of unexamined romantic/modernist assumptions underpinning ‘co-management’ and its implicit promise of an ahistorical future perfect”. Firstly, co-management rhetoric idealised and homogenises “community”, thereby ignoring the fragmentation and stratification that occurred within and between various social groupings during South Africa’s past (ibid:201). Secondly, “the State” is put through much of the same treatment, assumed without question to be the partner to community, imagined as an “institutional rather than a historical entity: an impartial actor in pursuit of the national interest amenable to rational suasion” (ibid). As his third criticism, “the notion of ‘management’ assumes a market-driven approach to the marine environment that ranks the things in it according to price and views them as ‘resources’ whose value is to be realised through exchange in the market.” And “finally, co-management is presented as a *deus ex machina* not only to the multitude of intractable problems spawned by state fisheries management, but to history itself, promising both delivery from the present state of strife and transport to one in which change is contained and history no more” (Van Sittert, 2003: 201-202). He argues that co-management requires a weak state with decentralised powers, but that the current South African government is in fact the opposite, “with a dedicated bureaucracy, research and enforcement capability backed-up by the police and military” (ibid:214). In conclusion, van Sittert argues that “not only is a suitor state absent it would seem, but there is no suitable bride to be found on the west coast with which to consummate the co-management nuptial”. He criticises the idea that communities automatically incorporate “checks and balances against over-exploitation”, calling it a “cherished myth among middle-class academics” (ibid:215).

Van Sittert’s critique of co-management is quite damning – it appears to deny the success of any co-management scheme attempted in the Western Cape. While I take his points, and agree that the terms and categories employed in the development of such a process or project need to be historicised, interrogated and drawn from the context of the intended implementation-site, I do not write off the possibility of such a paradigm being

incorporated into the management of South Africa's marine resources. As is shown in Hauck and Sowman (2003), there have been several instances in South Africa, post 1997, where co-management schemes have been successfully implemented and utilised by various stakeholders to meet their needs. Importantly, as noted in their discussion, these projects must be experimental in nature, involve a specifically identified group of potential participants and geographic area of implementation, and an identified valuable, practical and sustainable resource which to exploit. While such an arrangement is arguably more inclusive than top-down structures that transmit decisions to those on the ground, or even public discussion confined to the policy drafting process, it is a process that requires great care. It must be carefully investigated, planned with the input of all those who are to be involved as 'co-managers' and integrated with existing structures of management within both the target settlement and the state.

Conclusion

The situation of the South African fisheries in 1994 was one of dire inequality and discrimination. While reform, through the vehicle of the MLRA, has been attempted in order to empower the previously disadvantaged through redressing these inequalities, this reform has not 'trickled down' to the impoverished communities of the Western Cape but, in most cases, resulted in horizontal redistribution that sees ownership and stakes of big industrial commercial fishing companies given to business-men and -women who are already economically empowered. Reasons for this failure for full reform include a general context of neoliberal ideals propagated by the South African government and international financial institutions such as the World Bank; pressure from the economically powerful big fishing companies (such as Irvin & Johnson and Sea Harvest), and a development process that was not sufficiently participatory in terms of the smaller scale fishing communities and companies.

Many fishing communities have been severely, and negatively, impacted by the implementation of the MLRA, deepening situations of poverty in areas where few other economic activities are present or possible. A pertinent example of such a community is Kassiesbaai, where the majority of the adult men answer that their profession is that of a fisherman, despite the fact that many have not had a permit for the last few years. The

village's poverty has deepened since the legislation took effect, and will increase even further if alternatives are not found.

In order to address these still present inequalities and tailor resource management to more localised scenarios, the concept of co-management is increasingly suggested as a process by which participation of various stakeholders will result in practice and policy that is locally relevant, considered legitimate by both administrators and those whose actions such policy regulates, resulting in greater compliance. However, as discussed, the central concepts of co-management – open communication and multi-institutional teamwork – will only be possible in situations where such a process is welcomed and where there exists a level of trust between the various stakeholders sufficient enough to prevent the questioning of intentions, agendas and loyalties. The theory behind how this process is to work is heartening, but much groundwork will need to be laid before it is realised in practice.

In the following chapter I discuss the history and current state of the community of Kassiesbaai in the light of the changes effected by the implementation of the MLRA. I discuss the role that fishing has played in their lives, and the subsequent manner in which they view the marine resources and their management. In chapter three, I look at the state of the relationships between marine fisheries scientists, government officials and the fishing community of Kassiesbaai, discussing the nodes of discrepancy between their general discourses that impede the necessary conversation needed for both development and conservation, contributing to what I identify as a state of mistrust.

Chapter Two:

Heritage, Tradition and Change: Positioning Kassiesbaai

This chapter focuses on the history of Kassiesbaai and surrounds. It is an account as told by document and media as well as direct descendants of original residents, combined with an investigation of a variety of documents and studies, giving an overview of the current political and socio-economic situation. The intention is provide a background to the village and illustrate its specific history, tracing the development of a social landscape that is for many reasons, most notably its survival, considered unique and important both within and beyond it. It discusses how the history of this settlement is a feature of the current resident's everyday lives and informs the manner in which they regard themselves and therefore the manner in which they respond to influencing changes. It concludes by considering how socio-economic hardship can be alleviated in a way that, while built from an historical image, is able to reflect changes undergone or anticipated by the residents.

A Postcard

It is a town with three names and two distinct neighbourhoods. A small, affluent holiday town known officially as either Arniston or Waenhuiskrans, it is also home to a fishermen's village popularly referred to as Kassiesbaai¹¹. Separated geographically by a strip of bush that tapers down to the slipway the slipway, these two areas are diametrically opposed in socio-economic status. The demographic is distinctly divided – on the majority of the land in Arniston/Waenhuiskrans are the holiday homes of the mainly (but not exclusively) white owners, enjoyed by families from all over South Africa and further afield¹². On the other side, on communally-owned land, is the oft-

¹¹ The village's population is estimated at between 1400 and 1600, excluding handful of semi-permanent residents in the holiday home part of town.

¹² Most of the tourism-related work in Arniston/Waenhuiskrans is that of "*huiswerk*" (domestic work) in these holiday houses, referred to as "*agterkant*" (at the back) by the residents of Kassiesbaai. Most of the tourism-related income is generated by rentals, the bulk of which hardly ever makes it to village. The income from rental greatly overshadows that made by those doing domestic or maintenance work on them. Some of the larger houses in Arniston are R2000 per day to rent during the summer, while it is not unusual

called 'quaint' village of Kassiesbaai whose inhabitants are descendants of families who have lived here for over a 150 years¹³. This division is primarily maintained by property rights, with the available land in the holiday home area being privately owned, and sold for prices far beyond what the residents of the fishing village can pay. Economic cross-over between these two halves of the town occurs in the manner of domestic and maintenance work done by the residents of Kassiesbaai in the hotel or houses, and sight-seeing, the occasional meal or craft-shop purchase ventured by holiday-makers. Other cross-overs do occur, however. The fishermen from the village take many paths through the town, either along the rockpools that edge the town where octopus is caught or to the Beacon and beyond it, Galjoengat, for angling. Before (to my memory till about 1999), the fishermen would walk back through the holiday homes calling out their catch for sale, going door to door with a glistening bucket. Now, the restrictions on selling in the revised permits and smaller catches mean that this has become a thing of the past. Rockpools are enjoyed in a variety of activities by children and adults, visitors and residents, alike. As is the popular swimming beach known as Roman's (named for the Red Roman/*Rooi Roman* fish). However, the social interaction between the two diverse groupings is usually brief and confined to chance meetings in these areas of common use. Both residents from Kassiesbaai and property owners from Waenhuiskrans either sit on the committee of or attend the meetings of the Ratepayers Association and the Waenhuiskrans/Arniston Conservation Association. This is perhaps the only arena where there is significant interaction between the two "communities" on matters beyond the quotidian discussions of fishing, weather or gossip. However, these committees are often embroiled in rather heated processes of local politics, so they are not always arenas of cooperation and amicability.

Though collectivised in many respects, Kassiesbaai itself is fraught with internal alliances and competition, managed via particular socialities, notably configured in relation to gender and age. Firstly, there is the patriarchal manner in which the social network of the village is organised. Women in general defer to their husbands, unless he has acted in a way that *goeie man* (good husband) doesn't. Broadly, the requirements of

for a lady to get paid that for a month of daily cleaning. There are almost double the number of holiday homes as there are houses in the village.

¹³ There is no official source for this, but in questioning residents, the estimate was around 1500 people.

an ideal good husband in Kassiesbaai are stability, a willingness to provide (even if circumstances prevent the success of it), a certain level of sobriety and loyalty towards his *huisgesin* (family of the house). A good wife is generally expected to be domestic, hardworking, submissive and supportive. The home is largely the domain of the women, and many of the outside spaces that of the men. Having said that, women do participate vocally in town meetings such as those of the *Visserunie* or Waenhuiskrans/Arniston Ratepayers' Association, with both men and women from Kassiesbaai contributing significantly to the discussions.

Age is a determining factor of authority in the village, with the younger generations often publicly deferring to their related elders in matters of knowledge. Then there are the various political dynamics at play in the village, invigorated by inter- and intra-family conflicts at play amongst the extended kinship networks of the village and various religious allegiances held by members of the villages different congregations. What this results in, as I found, is that the male heads of the village's largest families with claim to *Visserunie* land enjoyed a certain elevated status in the town internal dynamics, getting elected to committees or being the most vocal and deferred to at meetings.

The historic village sits on a cliff over the slipway and smooth beach, a postcard of white-washed, thatched cottages with wooden doors and windows against a backdrop of dunes stretching out to a fine point on the horizon. Dusty roads weave through the village, taking one past half-open blue doors, washing slapping itself in the stiff breeze and, quite often, hung lines with strips of shark drying as biltong in the sun and salty wind. It is situated on the coast of the Overberg¹⁴, 24km from the town of Bredasdorp and about 40km from the southern most point in Africa, Cape Agulhas. The sea is rough off this coast, and is laced with rock and shores of dune, the home of many shipwrecks (see Burrows 1994). It lies on Marcus Bay, quite small and opening to the east, flanked by nature reserves. On the west side, it is edged by the Armscor weapons testing range, and further the De Hoop Nature Reserve, whose control extends 5km into the ocean as part of the De Hoop Marine Protected Area. On the east, is the smaller Waenhuiskrans Nature Reserve which borders directly on the De Mond Nature Reserve. There is fishing

¹⁴ See Appendix A for map.

allowed in these two latter reserves, but the Waenhuiskrans reserve is easier to access on foot since there are restrictions measures on cars in place, with the consequence that it is heavily frequented by anglers. The De Mond Nature Reserve is a place of wild beauty, with glaring white dunes and rough, dark seas – beaches that stretch so far that at places you lose sight of any civilisation¹⁵. The proximity of the harbour at Struisbaai means that the boat-fishing here can get overcrowded.

The fishermen from Kassiesbaai may fish in Armscor, when they're not testing, but they have recently been prevented from doing so in the waters off De Hoop. This is a source of great frustration for them as the fishermen are often only informed of impending tests once they are already out on the water (via radio), and so they must then head back to the slipway, despite the costs and effort incurred of going out, and coming back with no fish. Armscor pays the boat owner a stipend for his diesel, but that money does not stretch to the crew members. I was told by Jerome, the MCM official at the Arniston/Waenhuiskrans slipway, that there had once been a contract between the management of De Hoop and the *Visserunie* that allowed the fishermen access to fishing up till the first fence of the Reserve. However, a change in management saw that agreement broken, and some fishermen were arrested. The contract signed was apparently “*net weg*” (just gone), according to Timmy and Oom John, fishermen in the village¹⁶.

These geographical limitations act as pincers to restrict the fishing grounds that the fishermen can access. Their boats carry enough fuel for two days if necessary, but with no place to lie down, relieve oneself or seek cover, travelling so long and far in the boats they have requires significant physical and mental stamina.

By the 1830s a small settlement was established here, already referred to as Kassiesbaai. Local legend has it that the name refers to the fact that the original houses of this settlement and much of the furniture in them were apparently built out of wooden paraffin cases (or *kassies*) that had been picked up on the beach as driftwood, then used as the base for the structures and plastered over. These wooden cases would have been

¹⁵ It is not for nothing that regulars to Arniston/Waenhuiskrans, supposedly following the lead of the surfers, refer to it as “Wildside”.

¹⁶ The official to whom I was put through when I phoned De Hoop management to ask about this, claimed to have no knowledge of such a contract existing at that time or previously.

tossed overboard by passing ships, or perhaps washed up after one of the many shipwrecks along this coastline. Though it is the generally accepted name for the community, members of the older generation, according to Oom Sam and Oom John (both in their 70s) resent its use, as they see it as derogatory (their houses certainly do not look like slipshod wooden structures) and alienating – they question why they must be given a different name to the holiday part of town, as if they are not part of Arniston/Waenhuiskrans. Being Afrikaans speakers, many residents refer to the town and village as Waenhuiskrans and not Arniston. Though this is the case, and a sentiment which I respect, I refer to it as Kassiesbaai when speaking of the fishing village in particular, for practical purposes, as it does in my reckoning deserve to be delineated from the holiday town of Waenhuiskrans in the context of this discussion. It is, as discussed, significantly different from the holiday town, which is not the focus of my discussion.

Land

Until 1836, this settlement was based on Crown Land, when it was then named Arniston Downs (after the shipwreck of the same name that occurred in 1815¹⁷) under the ownership of a corporation of local farmers. In 1847, this corporation was dissolved and possession was taken by the Swart family, who then granted the community ten *morgen* of land – the equivalent of about 25 hectares. This original site, *Oubaai* (Old Bay), is approximately 2 kilometres west of the village's current location.

In 1906, the farm passed into the possession of the Pratt family under the three brothers, who decided to establish a small holiday town – for which they would have to move the now 300-strong group of fishermen and their families. However, the fishermen of the settlement appealed to the local authorities in Bredasdorp and after much negotiation, some conflict and being able to show that they had been established there for at least 50 years, the Pratt family agreed to sell them other land (also 10 *morgen*) for the

¹⁷ On the 30th May 1815 a Dutch-East Indiaman called the Arniston was returning from India when it was wrecked in an eastern part of the bay. All but 6 survived – 372 lost their lives (Burrows; 1994, pp 176-177). The other name of the town, Waenhuiskrans, is derived from the Dutch Wagenhuiskrantz – referring to the famous local geological feature, a cliff which opens out into the sea (creating a cave which is the largest in South Africa that is without a supporting pillar). The cave's mouth used to be sanded out, making it possible to drive a *waenhuis* or ox-wagon, into it with enough space to turn.

price of about 1 shilling, on the site of the present village. This land is held in communal tenure (though some of the houses themselves are privately owned). Many residents still live in the same houses as those their grandparents grew up in, and there is at least one family home owned by one of the direct descendants of the 1906 petitioners. Many of the surnames found on the 1906 petition are still to be found in the village today – e.g. Murtz, Newman, Hartnick and Williams. It is this communal land that is properly referred to as Kassiesbaai. The two other, newer “neighbourhoods” (e.g. the RDP houses of *Selfbou* – “Build it Yourself”) of the greater community do not hold the same heritage status as this land and its structures, and so are not required to adhere to the same building regulations as Kassiesbaai proper. In this visual manner, the status of both groups is reinforced.

In the agreement between themselves and the Pratt brothers, the fishermen were granted a servitude right¹⁸ to the beaches so that they could continue to live off the sea, a right which is still legally in place today. In 1937, the land was formally transferred to the Waenhuiskrans Visserunie (the Fishermen’s Union)¹⁹.

There still remain two houses on the site of the original settlement, national monuments in their own rights respectively, and owned by members of the Kassiesbaai community, though they are not used as places of residence but for visiting family or paying guests during the holiday season. Forced removals were successfully resisted again in 1986, attempted under the Group Areas Act but prevented due to swift action by the National Monuments Council, who declared the village a national heritage site that year. At that stage the village was in terrible disrepair, so a committee was established to fix it up as befits a national monument. Members of the public donated money and skills to restore it.

Not only is it a village whose story contains a dominant narrative of collective triumph over attempts of removal, it is also one in which this survival was directly linked to their distinct character of aesthetic and lifestyle. As part of the constitution governing their communal land and conditions of their status as “heritage”, a set of building

¹⁸ A 200ft wide “rooilyn” (redline) from the high-water mark.

¹⁹ When the land was sold to them by the Pratt brothers, the deal was that the community would have to pay the transfer costs themselves. They did not do so (for whatever reasons, most probably financial) and so the Visserunie was formed in 1937 in order to pay for and take formal ownership of the land.

restrictions allow for only the “traditional” style of houses to be built. This means limestone, white-wash and thatched roofs – originally built from all local materials which are no longer plentiful nor free – which gives the village its characteristic look. However, this picturesque effect is nowadays expensive to maintain, and many residents suffer as the cost of thatching (several hundred Rand per half-square metre) has prevented them from fixing roofs that are in many cases completely collapsing.

Heritage

Kassiesbaai is the only surviving fishing village of its kind left in South Africa, one where the descendants still live in the same place as their forebears and rely on fishing as their primary economic activity. A South African Heritage Resources Agency (SAHRA) report²⁰ on the Waenhuiskrans Cultural Landscape states that this landscape “is an extremely significant living heritage resource of national importance and grade 1 status”. Furthermore: “It holds historical, aesthetic, social, spiritual and scientific value, is the only heritage resource of its kind, and is representative of a particular class of cultural place and object, namely a South African fishing community that is fast disappearing.” It is important to note here that in the wording used in this report, the lament is not necessarily that the community itself is disappearing, but that their lives as “traditional” fisherman are dramatically changing. Implicit in this representation is that the value of the Waenhuiskrans Cultural Landscape is not in the current dynamic state of the village, but in the image of times past that it represents. There are responsibilities in being part of a “living resource”²¹. Much of the ‘charm’ of the village is not so much the people themselves, but in the houses they live in²² and sea-based activities they partake in. While this view generates and is itself perpetuated by a high level of tourism that seeks to ‘experience’ this way of life, it pigeonholes the community into a idea of themselves that, while not entirely imposed from outside but also promulgated from within, makes the possibility of seeing alternatives particularly difficult and often emotional. While other

²⁰ “Waenhuiskrans Cultural Landscape including the Fishing Village of Kassiesbaai, Arniston/Waenhuiskrans, Bredasdorp District”. Report written as a publication for SAHRA by Beverley Crouts-Knipe, Provincial Manager, SAHRA Western Cape. November 2006, p 1.

²¹ It is ironic that the phrase “living resource” is used to indicate both the community and the marine resources they are currently barred from exploiting.

²² There are 150 houses built in the vernacular, many dating from the early 1900’s, on official Kassiesbaai communal land.

coastal communities not granted this status of a significant South African heritage resource are also resistant and often resentful of the changes inflicted by the new corpus of legislation, in Kassiesbaai the change in the nature of their livelihood will potentially significantly affect how they see themselves and how they are viewed by others.

This heritage status is the reason why they were able to resist attempted forced removals in the 1980s, and is therefore a factor of immense emotional and practical value and pride. However, were fishing to be limited and problematicised even beyond the extent that it currently is, the chances are that the village would no longer be legitimately classified as a fishing village – other than in the historical sense – and therefore a great loss would be incurred in terms of the value and pride with which residents, and others, view their social-ecological landscape and lifestyles. The long-term fishermen and residents of Kassiesbaai are invested in the ocean in ways both material and spiritual. The material sense is obvious enough – their primary economic activity is fishing and other related endeavours (collecting and selling shells for example, particularly the paper nautilus), and shellfish is often collected for either the plate or door-to-door sale. But on a deeper, more personal level, the sentiments expressed to me by various residents were largely similar to each other. Here is an extract of my notebook, a typical example, from a conversation with Willeen, an imposing matriarch who runs one of the craft centres in the village, and was born and raised there:

Willeen says “die see is sterk in hul borste” [the sea is strong in people’s breasts] and touches her chest with her left hand emphatically when she says this, repeating the gesture again when she says that “dis in hulle” - it’s in them.

Asking a man named Errol, about 45 years of age, if he is considering finding other, more permanent work (whatever that may be), he replied “*Hoekom? Ek’s ‘n visserman*” [Why? I’m a fisherman]. Despite the difficult times (past and present) as a fisherman, and the possibility that fishing and fish stocks will be even more limited in years to come, here is an incredulous response to alternatives. Fishing is not a job in this instance, it is a core identity that I argue is present in throughout the long-term fishermen and residents of the village. Oom John, retired from fishing for years now, still refers to himself as a fisherman, although he has not personally caught a fish in over a decade.

Unable to establish a fruitful rapport with the younger children of the village, I was advised by the headmaster of Kassiesbaai's primary school to produce a short questionnaire for the combined Grade 6 and 7 class, as discussed in the introduction. It was administered by their teacher, as I was quite firmly told my presence would be disruptive. So I have no idea of knowing if the children were coached in their answers, or if they were spontaneous and fully subjective to their own worldviews. Twenty-four out of the twenty-six young respondents (between the ages of eleven and fifteen), when asked how they would describe Kassiesbaai to an outsider, answered fishing village ("*visserdorp*"). Despite the uncertainty of whether these answers were prompted or not, these answers tell us that this idea is what the younger generation are being taught to propagate. Another prominent feature in the spread of answers was the description of the "*rietdak*" and "*wit huisies*" (thatch and little white houses, respectively). Coupled with this in three of the answers is the mention of the three distinct areas of Waenshuiskrans. There is Kassiesbaai, the "wit dorp" (the white town) and the "hop huise" (Government-built housing). Kassiesbaai proper only refers to the white-wash and thatch houses that are on the communal land granted by the Pratt Brothers in 1906. The Fishermen's Union (*Visserunie*) is made up of and represents these residents, taking decisions, lodging appeals and enacting decisions that pertain to the village and its resources. Therefore there is further division of the town with already three names, with some residents enjoying access to the heritage status while others are marginalised even further by their lack of it.

The SAHRA report states (2006, p 2-3) that the village and area is unique in the fact that unlike most other fishing villages on the west and southern coasts of southern Africa, the village was not built by larger fishing companies to house labourers, but that the settlement was established by the original fisherman to support themselves on a subsistence basis. This argument is supported by that of van Sittert (2003), who argues against the establishment of an "artisanal" fisherman category in the fishing legislation, as the presence of such "traditional" fishermen along South Africa's west and south coasts²³ do not point to a long history of subsistence fishing, but instead to the

²³ Here I am explicitly talking about the south and west coast, and not the east coast where there was and is levels of subsistence that has persisted since the pre-colonial era. The area of Arniston/Waenshuiskrans was

establishment of an industry, its sources of labour and settlements for these labourers in a relatively short period of time from the mid-1800s on. He writes:

“Far from being determined by a ‘call of blood’, fishing was part of a flexible repertoire that included subsistence farming, agricultural day labour and periods of formal wage employment...‘community’ in the conventional territorial sense of ‘community of residence’ was the modern creation of fishery and factory owner’s seeking to counter the centrifugal pull on labour of mining-led industrialisation and immobilise it permanently on the coast.”

Van Sittert (2003, pp 199-219).

If many of the fishermen living in these settlements in the second half of the last century could be viewed as subsistence, this is because of the collapse of many of the larger fishing companies and subsequent mass retrenchments (Van Sittert, 2002 & 2003). Therefore, the label artisanal does not neatly map over these specific communities, as their presence was established by industry and out of economic motives for accessible labour. This historical view is used by van Sittert to argue against the allocation of fishing rights or the transformation of the fishing industry based on such conceptually and factually flawed criteria. However, I would argue, in line with the SAHRA argument and backed up by van Sittert, that this is precisely why the geographic- and demographically designated ‘community’ of Kassiesbaai or Waenhuiskrans deserves special consideration. It was not built by a corporation, but by a grouping of five men and their families who wished to live as independently as possible and looked to the sea as their salvation, according to Oom Sam, whom many residents assured me “*ken alles*” (knows everything, with an added sense of being familiar with what you know)²⁴. They used what was available and established a relationship with the land on which they found themselves, one so strong that it allowed them and their descendants to resist the several

inhabited in the 17th century by the Hessequa, a Khoi-tribe. Evidence of Stone-Age settlements has also been found in the surrounding dune areas, with some implements found alongside quite plentiful middens. However, the encroaching tide of settlers and concomitant diseases (particularly small pox) in the 1700’s drove most of the Hessequa and neighbouring tribes from the coastal areas inland, where many were enslaved or forced by a variety of means to work as farm labourers.

²⁴ It is said that the original five families were from the Swellendam area, and so could possibly been slaves or indentured labourers on a farm there, leaving for the coast to escape this persecuted life.

attempts at forced removals they encountered through the settlement's history. It is one that has shaped the way in which the residents view themselves as a collective and as individuals. While there exists many divisions within the village along cross-cutting lines of heritage, financial status, family allegiances/disagreements, gender, age, occupation, employment, intra-personal conflict and fishing rights, residents persisted in speaking in terms of *ons* (our/us) to me. Phrases often used were "*onse mense*" (our people) or "*hier by ons*" (here by us). I argue that despite the politics within the village, the residents retain and project a sense of 'community' through their collectivising language. It is also a designation that is applied in the legal and discursive language used by SAHRA and the fishing legislative, those who support it and those who protest it. So while a problematic concept, particularly in the coverall manner in which SAHRA employ it, it is nonetheless in use. Explicitly so in Waenhuiskrans, shoring up the romanticised identity of the village as a traditional and peaceful historic community living in harmony with nature. However, beyond these problematics of homogenisation and reification consequenced by an uncritical use of the term, it can also be argued that a sense of *communitas* is employed in a variety of manners to either sort out some problem occurring in the village, or to protest what they see as an obstacle imposed from outside the boundaries of their village. As an example of the former, people will mobilise networks to chastise a resident who is treating his or her partner in a manner they consider to be wrong, or place a child with a foster family if he or she is not receiving care that is considered adequate. In terms of the latter, on two occasions of conflict between police and alleged poachers, Kassiesbaai's residents have swamped the scene and even, once, thrown rocks at the police for what they see as persecution of "*onse mense*" (our people). Here, *communitas* is a product of processes of living in the village amongst kin, enduring the same problems as most of your neighbours, living in such close physical proximity and of sharing the telling of the dominant narrative that is the story of the village's existence. It is a resource that the residents can access, or refuse others access to. This sense of "community" is contrasted directly with that which SAHRA uses, which regards and represents it as cultural object that exists before and beyond considerations of historical socio-cultural processes.

The tourism literature on Waenhuiskrans is telling of this identity that is represented in the SAHRA literature, showing that the fishermen are part of the overall 'package' that is used to attract visitors. The following is from the Arniston blurb on www.overberg.co.za: "Arniston is a village where time has stood still; where the practices of generations of fishermen quietly continue without interruption. But this sleepy little coastal town has seen its fair share of drama." It is quite clear that the historical view of Kassiesbaai is one that has been reified, frozen in time and in which the realities of the situation are politely ignored for the sake of the idyllic picture. The "drama" referred to in the last sentence refers to the wrecking of the *HMS Arniston* in 1815, an event that occurred before the settlement was established in any capacity. And further on: "You can experience the customs of the locals as many who live here still make a living from the sea."²⁵ The "customs of the locals" is a glaring choice – completely exoticising the residents along the lines of an early travelogue. The parallels to the discourse of ethno-tourism are obvious, and problematic. It reifies a very particular, romantic idea of culture and uses a historical ideal of it as a standard for the present, despite changes over time and the complexities of the contemporary situation. However, these disadvantages are countered by a set of potential advantages. There is also a pragmatic side to the adoption or advertisement of a particular image of oneself. As Sylvain (2002:1082), citing Coombe (1999) and Sieder and Witchell (2001), states: "The essentialising and primordialising tendencies evident in the public discourse on indigenous identities is in part owed to the reductionist and reifying requirements of legal discourse"²⁶. Due to their legal status as a heritage resource, their legal category as small-scale or subsistence fishermen and the need for a romantic enough image with which to lure tourists, the social collective identity of the Kassiesbaai fishermen is, as in

²⁵ <http://www.overberg.co.za/content/blogsection/4/27/>

Some other examples are:

"Unforgettable, seductive Arniston, where time stands still and whales play in the sheltered bay." From <http://www.arnistonhotel.com/>

"...situated in Arniston, a small, cosy, historical and traditional fishing village near the Southern tip of Africa." From <http://www.arniston-etnas.co.za/>

²⁶ While the concept of indigenous is fraught with its own politics and complexities, it is itself not a set of problems directly relevant to Kassiesbaai, who have never to my knowledge been labelled as 'indigenous' in that Sylvain is speaking of here (in reference to the Omaheke and ǀKhomani San communities). The link made here is that the same processes of essentialisation and primordialisation is occurring with the identity of the Kassiesbaai fishermen.

the case of many localized identities, also a powerful tool with which to access or create a profitable future.

The Fishing

As the holiday town of Arniston grew, larger boats were built, often with the input from farmers and businessman who flocked to Arniston/Waenhuiskrans on their off-time. Oom Sam told me how he and his father built many of the seen boats in the harbour today, some many decades ago. Eventually a slipway big enough for twenty boats was built. They would go out everyday, weather-permitting, but with the new quota system and costliness of applying, it is now several days between phases of activity in the harbour. Crews of up to about ten men worked on these 10-metre line-fish boats. Boys followed in their fathers' footsteps and joined a crew in their early teen years. They were expected to start contributing to the household, doing what generations of male relatives had before them. Oom Sam himself started on the boats around the age of ten (he is no longer exactly sure), though his sons and grandsons started later at around the age of 16. It is a rough life, with entire nights on the boats which offer no shelter or sanitation. Fishing with hand-lines, leaves their skin on their hands broken and welts by the fish-line and sea-water. Many of the older men who spent long years on these boats have badly arthritic hands that are covered in calluses. The boats' courses were charted by the stars at times, but mostly by landmarks such as the distant mountains above Swellendam, significant reefs or cliffs. This was almost always possible, as the boats were for many years without engines and so could only venture as far as rowing could take and return them. The best spots were known through all the years of fishing them²⁷. The boats of today are equipped with a diesel engine and sonar – the former allowing current fishermen to travel further and faster than their grandfathers, while keeping an electronic eye out for plentiful fish with the latter.

In recent years, the legislation limited the crew size to eight. The local MCM official at the slipway, Jerome, in response a question of how the fishing activity has

²⁷ Other nuances of the sea-based knowledge held by the long-term residents or fishermen include knowing what currents were flowing strongest, and in which direction, from the manner of things washed up at the tide-line. Also, most people in the village can read the clouds, wind and look of the ocean to judge what the weather is going to do in the next few hours.

changed in the last few years, told me to remember that each boat represents the livelihood of not only eight men, but eight “*huisgesinne*”. This term is used almost in the sense that household is used in English, to denote a not necessarily blood-related group of people who live together, but with a strong emphasis on the sense of family. It refers to the fact that many of those in the house will be considered family, even informally adopted as such, despite the lack of blood relations. Jerome also pointed out that four of the nine boats in the harbour at that time were sitting without permits, representing thirty-two families, with children who need to go to school, sitting without an income. Many men had at that point²⁸ been sitting without an income for eight or nine months. When the boats go out, many of the out-of-work fishermen still go down to the harbour to watch the boats go out, hoping for a space on a boat in case of a vacancy. The chances of one are small, they know, but still they come down and partake in the launching of the boats, often a lively event always requiring many willing hands²⁹. The busy atmosphere and the camaraderie of the event as “*een, twee, NOU*” (one, two, now) is chanted to time the pushing is starkly contrasted to the quite that falls on the harbour when those without work are left behind and head back into the village. A group of out of work fishermen are usually gathered behind Abbie Newman’s house just beyond the harbour, spending their days talking and, often, drinking while looking out to sea. There is, in their words, little else to do about it (“it” being unemployed in a village that offers few other activities or occupations for them).

A further source of frustration on this subject is the policy that states permits will only be granted to boat-owners if they are present on the boat during the fishing activities governed by the permit. The four boats which were pointed out to me as sitting without

²⁸ At the time of fieldwork, February 2007.

²⁹ The slipway is a smooth asphalt ramp into the water. The sea into which the boats launch is relatively shallow, and must be navigated one boat at a time as there are rock ledges on either side of the approach. The boats stand out of the water when not in use, held upright by wooden wedges. These wedges must be removed and the boat held upright while a rusted old tractor with a steel arm pushes it down the slipway. Given that the tractor is stored out in the open, the caustic sea air and rust means that it is often broken. The boats must then be launched manually. Held upright by the crew and helpers, sometimes up to twenty men, the boat is pushed down the slipway by them, and attached to a rope and pulled by another boat already on water, till it floats. Sea moss grows on the slipway, which is covered in water at high-tide, and so the possibility of losing one’s footing and perhaps landing in the path of or upsetting the boat is high. Accidents certainly do happen, with one man losing a leg in 2006. Coming in, the boats approach in single file and a winch is attached to the boat and hauled out the water. Again it must be steadied. Finally the wedges are knocked into place.

permits were all owned by women, all inherited from late husbands. But as women do not fish, in this community it is a man-only occupation, they could not receive permits. Thirty-two now sit without work because of a reason that, in this particular case, comes down to a conflict between policy and local gender roles. The reasons most often given for the fact that women do not fish is that “*dis nie die plek vir vroumense nie*” (it’s not a place [the boat] for women) or that the fishing life is too rough (“*te rof*”). However, these women are still paying for rental of boat-space at the slipway, vessel registration and maintenance, costing a few hundred Rand a year. In January of 2007, the permits came up for renewal, alone costing R2000 but together with the process of lodging the application, could come quite a bit more. As had happened with previous forms or legal processes pertaining to the changing legislation in fishing, the paperwork was so convoluted that many fishermen paid lawyers or legal consultants to help them fill it in, lodge it and track its progress. This can double the cost of applying, putting it far out of the financial reach of many.

Due to the relative isolation of the village, and general lack of transport available to those without cars of their own, the dramatic decrease in fishing activity has meant an exponential increase in poverty. Previously in hard times, one could at least gather food for the family’s plate by angling or collecting octopi or shellfish. Now, while many of the fishermen have the relevant permit for angling, their quota, particularly for galjoen, has been sliced and they may not sell the fish. To get to Kassiesbaai from the prime fishing spots on the other side of the beacon on Saxon reef one walks through the neighbourhood of holiday homes, where before the fish was always readily, if not greedily, purchased. The steady increase in tourism³⁰ has meant also a correlated increase in recreational fishing and diving which has helped to deplete the small bay’s resources.

Many residents of Kassiesbaai have as a result been lured by the lucrative opportunities posed by poaching, and the now disbanded Operation Neptune division of the Scorpions has been called into the town a number of times. The main object of

³⁰ In the last 15 years, the Arniston Hotel has more than doubled in size and there are currently about ten smaller hotels, lodges or bed and breakfasts in the town, whereas previously there had been one or two. There are no recorded statistics for the increase in numbers and frequency of tourists, but collected opinions and personal long-term observation verifies this.

poaching is abalone, sold on to outside syndicates. The poaching industry of the Southern Cape is heavily gang-related (see Hauck 2001 and Steinberg 2005), and this has led to the introduction of drugs into the community. The local poachers are often only partly paid in cash, with the remainder paid in drugs – previously Mandrax and Ecstasy, now increasingly in the toxic amphetamine concoction known as *tuk* or *tik*³¹.

Residents of the village to whom I spoke (including the local school headmaster, the day nurse and a member of the *Visserunie*) estimate the unemployment (or underemployment, as much of the work available is seasonal) rate in the village to be as high as 50%. The Arniston hotel and holiday tourism³² provides a number of the members of the community with housekeeping, maintenance and gardening jobs, but these are limited and seasonal. Apart from the small sales of fish or exquisite shells door to door, this type of work long remained the only channel through which members of Kassiesbaai could access the capital earned during the season. Currently, there are three restaurants open in the village, along with two craft centres, but the number of people currently employed by these enterprises is not sufficient to alleviate unemployment in any particularly significant degree across the scope of the community. These small businesses employ or support almost only women, most of whom are elderly. Therefore, they do provide opportunities for economic activities for the out-of-work fishermen or the youth of the village. In both craft centres are some products by both young people and, on occasion, a middle-aged man, but these often are one-off or infrequent projects that in no way signifies a stable income.

In the last 8 years there has been an increase in petty crimes³³, particularly theft and break-ins of the town's holiday homes (mostly empty, as only 20 out of approximately 500 homes are permanently resided in). The number of break-ins occurring while people are at home has also increased, with more than one incidence involving bodily threat with weapons have occurred. It is likely that the increase in criminal activities is related not only to increasingly dire situation of long-term

³¹ The Overberg District Municipality's Integrated Development plan for 2007-2010 (page 15) indicates that there has been an 74.7% increase in drug-related crime in the Cape Agulhas ward from 2002 to 2005.

³² TIME Magazine, 13 May 2006, voted Arniston/Waenhuiskrans as one of the "world's top twenty tourist hideaways", which helped fuel the increase of both foreign and domestic tourists.

³³ An observation made by residents of Kassiesbaai and Arniston/Waenhuiskrans to whom I spoke, as well as personal experience. As many incidents go unreported to the police in Bredasdorp (there is no police station in the village itself), there are no official statistics to quote in the specific case of Kassiesbaai.

unemployment and poverty, but also to the increasing poaching activity in the Overberg region, which has showed that in monetary terms, crime does pay³⁴.

Despite the hard times and lack of opportunities, the rate that people are moving out of Kassiesbaai has not increased, and it still often remains a work-related and non-permanent move (such as working on larger commercial fishing vessels in Cape Town or Saldanha Bay as Oom Sam and many of his generation did, as well as domestic service for women in towns such as Somerset West, as Willeen had done in her younger days). Jerome explained that this was because “[dit] baat nie jy gaan hang op in ‘n vreemde plek waar niemand jou ken nie” (it doesn’t pay to go settle in a place where no one knows you). At least here your wife can get a job working in the holiday homes and your neighbours will share their food, when they can, according to Uncle Jerome. The sense of community is reinforced by large and often dispersed familial networks that ensure some measure of support during times of need – whether that is providing food, a small loan, transport or fosterage for a child. Oom Sam echoed this sentiment, explaining that despite the relative security of fishing work for the big companies on the West Coast, he came back to be with his *mense*.

The lack of work opportunities are drawing away some of the youth, who leave for Bredasdorp or even Cape Town to look for work. Those that stay, whether attending school regularly or not, have few organised or regular activities with which to occupy their time in the afternoons and on weekends. There are youth groups organised by the local churches, but this does not appeal across the board and their activities are focussed on the weekends. There are very few social services in Kassiesbaai. There is a primary school that currently caters for about 160 children, with a staff of 4. The closest high-school is 24 km away in Bredasdorp, and the cost of it is often too high for a struggling family. There is a library, and a clinic which is only open on Thursdays. The clinic nurse also runs the clinics in Bredasdorp and Struisbaai, dividing her time between them

³⁴ The presence of new quad bikes, furniture suites and even motor vehicles at many houses struck me as anachronistic in a situation which I had been told was, and observed to be, one of poverty. The finances behind these purchases, often in households where the source of income could not be linked to formal employment, is often, but not always, poaching. These purchases do invoke the ire of some of the older residents, who claim that many are unwilling to help the community as they see these purchases as evidence of a lower level of poverty than is claimed. Most often though, the purchases are viewed with envy, particularly by the children of households who are not able to buy such things. The quad bikes in particular are very popular.

and the mobile clinics which service the outlying farming communities. The clinic also has a counsellor or social worker available on its open days, if needed.

Conclusion

What my discussion of the historic trajectory, reified but invested identity and current socio-economic state of the village of Kassiesbaai has attempted to show is that future socio-economic development of the village is imperative. Such development will have to take into account and be built from these areas of concern. Kassiesbaai is in dire need of socio-political and infrastructural development in order to access the economic opportunities presented by public interest in the village and the eco-tourism opportunities of the beautiful land- and seascape in which they are situated. Their collective labelling as a 'historic fishing village' may be one that is easily reified and co-opted by a range of interests, but the fact remains that it is an identity that is in line with how the community largely see themselves. It is a factor that serves as a major drawing card for the tourists that represent a potentially very significant source of income for the strained residents.

The investment of identity in the sea by the fishermen of Kassiesbaai, and the concentration of their skills in that area, will make it difficult for many of the men to start working in an office, on a production-line or as a plumber's assistant. The potential for eco-tourism activities, such as guided cliff-walks or kayaking, is great enough for the planned endeavours to be centred on the sea but not based on extractive activities such as fishing necessarily. It will ease the sense that by not fishing, they have been cut off from the sea. Here the reified image of the 'historic fishermen' needs only to be renegotiated and 'loosened up', and not entirely negated, thereby ensuring a continuity that can still act as a drawing card and tap into the local tourism industry's flow of capital in a more direct and profitable manner.

The women of Kassiesbaai, young and old, utilise a range of skills that make use of the local land- and seascape; the act of fishing being the domain of men. The local cuisine (fresh baked bread, fishcakes and fishsoups) is already on offer in the three village restaurants, run by women and which also provide a market for the fishermen's daily catch. Local handicraft skills are diverse and well-practised, particularly needlework such as knitting or crocheting. These products arouse the interest of the

tourists, but many leave without buying as the materials used are what the ladies can afford and often do not appeal to the expensive tastes of the foreign visitors. An investment in some market research amongst the holiday crowds could help the crafters tailor their product more, while a local source for things such as high-quality wool or cotton would be ideal in terms of negotiating a good price for smaller amounts, more regularly. There are also a significant number of plants in the surrounding dune areas that have historically been used for a number of activities, from making wax (suitable for candles) from the *wasbessiebos* (*Myrica cordifolia*) or jam from *suurvygies* (the sour fruit from *Carpobrotus acinaciformis*)³⁵, processes enthusiastically enacted for me by Tannie Dorie who is considered an expert on these matters by her fellow crafters. Much of this knowledge is no longer widely utilised, but provides a direct way to interact with the flora of the area. As it is not allowed nor sustainable to remove flora from the neighbouring nature reserves, a garden containing a variety of local plants with different uses could be established in the village to provide a sustainable source of these plants for either manufacture of products reflecting their past uses or as examples to use in educative talks aimed at the tourist market.

Currently, most tourists walk on foot through the village, taking photos of people and houses as they go, though they rarely ask permission. At the entrance to the village from the slipway, is a weathered plaque providing a blurb on the village's history that is covered with the green growth of verdigris almost to the point of illegibility. There also stands a SAHRA notice-board requesting that donations be made for the preservation of the community (these donations are asked to be dropped off at the hotel's reception). There is largely little interaction between such wandering tourists and the community members, and with the plaque largely unreadable, many leave without being properly informed on the village's history. Seeing a camera in my hand down at the harbour one day, I was asked, by a man who would only say his name was "*Moi* (French)", how much I was going to sell the photo for. His complaint, after hearing I had no such intention, was that people were often coming to take "photos of us" but that the people in the photo

³⁵ A programme currently running in the region and focusing on projects that develop local plant knowledge into conservationist and economic activities is the Overberg Useful Plants Project (OUPP). Started in Kleinmond, it now has such projects in various towns in the area.

hardly ever saw the photo for themselves³⁶. He said has recognised photos as being from Kassiesbaai in publications before, with no acknowledgement that that's where it was taken. This illustrates that there is a need for greater interaction between the tourists and the residents if this kind of resentment is to be avoided and if profit from tourism is to be generated *by and for the community*, either as individuals or collectively. Also, if images of Kassiesbaai's people and its setting is so popular, it is not unfeasible that such images be created by the residents themselves. Currently, one man, Mr Randall Lawrence, is making a good income plying his skill at painting. His miniatures of the cave and coastline are sold in the two craft centres, sometimes the hotel shop, and his murals grace the pre-school's walls.

The potential for visual material is vast, considering the long-term money-saving benefits of the digital age. Postcards, posters, whole books are feasible. Film productions have been shown to be quite possible, and successful, too. Since the filming of the South African film *Die Storie van Klara Viljee* there in 1991, Kassiesbaai has been the site, and residents' lives the subject, of the first episode of M-Net's 2007 "reality-TV" series *Culture Shock* and the scene for a festive MTN ad in which the majority of the actors were residents. It is also the home of the eccentric character of Johnny Appels, who in the documentary *Johnny Appels: The Last Strandloper* (directed by Micheal Raimondo, 2006), claims to be just that, the last Strandloper. Besides this weighty claim, which is not investigated further after being stated, there are other problematic statements made in the film, which contradict what other members of the community had told me. The point here is not to discount the film or his story as told by Johnny, but to highlight the need for caution in such productions, as the filmic medium often has a wider and more lasting influence than that of the text. It also seems to have roused some resentment amongst some parts of the community, as they feel that it could have (in some cases, should have) been about them too.

The potential for greater economic security offered by such activities would ensure a continuity of Kassiesbaai's ties to the sea and that public representations of them

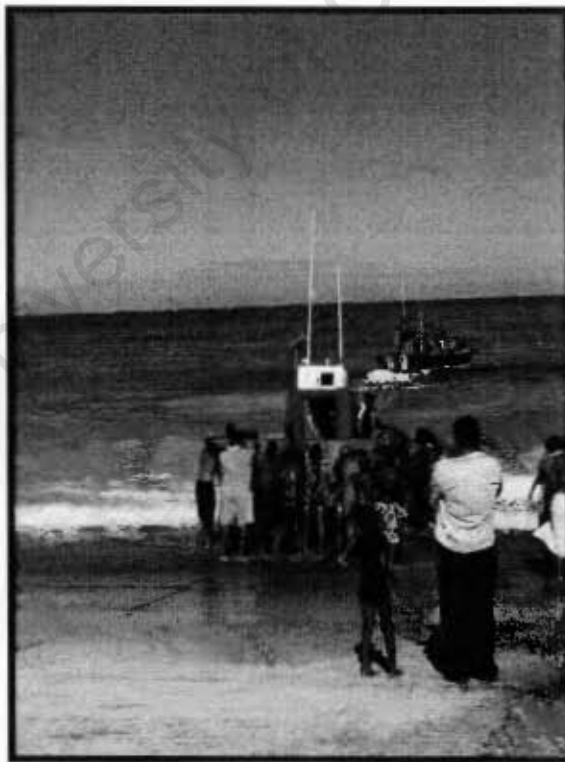
³⁶ I myself had taken many pictures randomly before, throughout my life, without asking explicit permission. I had never considered what it must be like to be the object of such impersonal scrutiny, and subsequently obtained permissions for all the photos I proceeded to take, making clear that they may be used for academic, and not commercial, purposes. All of the photos used in this report are ones taken with such permission.

(the residents) would be more effectively negotiated by village themselves. If a stable economy that involved greater numbers of both men and women could be established, there would be a new set of careers waiting for sons and daughters to step into, other than the increasingly unfeasible life of a full-time fishermen, or the limited work as a seasonal domestic worker. These ideas I've presented are but sketches for possible future actions, to show that the residents not only have one beyond fishing, but that that it can be informed by the inherent skills and knowledge that they are bearers of.

The current situation, however, remains one of unemployment, disillusion and frustration. In the following chapter, the source of this disillusionment and frustration is investigated beyond that of economic strain, through a discussion of the discourses and positions of authority employed by the fishermen and certain groupings of government officials and marine fisheries researchers when engaging amongst themselves or with each other on the issue of fishing rights. Closer attention is also paid to the manner in which, I argue, there is a deep connection between the long-term residents and the sea, informing the manner in which they speak and think of it.



A view of Kassiesbaai proper and the slipway, taken on a busy January day in 2007.



Men pushing a boat out because the tractor is broken again. January 2007.



The national heritage plaque at the entrance to Kassiesbaai, weathered to the point of being almost unreadable.



The entrance to Kassiesbaai just past the slipway. The Visserunie Saal is to the left, and the heritage plaque just behind the sign proclaiming the Kassiesbaai Conservation Area.

Chapter Three: Ocean, Time, Value: Speaking about the sea

This chapter looks at the manner in which different parties engage with the issue of allocated fishing rights on the local and the provincial level. I argue that there is tangible resentment directed towards the government and scientists by the community of long-term fishermen of Kassiesbaai. I further discuss how this is exemplary of a general lack of trust between specific groupings of involved parties, which is both exacerbated by and serves to perpetuate the misunderstandings and miscommunication that is hampering the conversation between the residents of Kassiesbaai and role-players in government and the marine fisheries research community. The discourses of the groups I identify are discussed according to what I argue are the nodes of discrepancy between their respective conceptualisations of the ocean, time and value. The data for this chapter was collected during my fieldwork in Kassiesbaai, as well as through interviews and written correspondence with both private and governmental professionals in the marine fisheries sector, as well as officials working for Marine and Coastal Management. Anonymity was requested by all except Mr Desmond Marinus of MCM, Dr Amos Barkai of OLRAC and Mr Jerome Murtz, the MCM official at Arniston. Reasons given for requests for anonymity were vague, but I surmise that it could be linked to the potential for controversy in this field of research. This reiterates what I see as the fundamental obstacle to cooperative marine resource management in Kassiesbaai: a pervasive lack of trust.

“Man versus Nature”

Central to many of the concepts that will be discussed in the context of this discussion is the separation in thought and theory of the two ideal entities of Man and Nature. The ubiquitous Nature/Culture dichotomy allows the separation of humankind from the environment. Discussed by Iggoe (2004:76) with reference to the Eden myth of the Bible, it is a dichotomy that simultaneously asserts mankind's dominion over nature, and his separateness from it – man is unworthy, but nonetheless in charge. This divide and the conceptual repercussions it has on our thinking of the environment, results in a thinking

of Nature as a separate, bounded entity that can be thought of and managed as if unconnected to man and all aspects of human life. This is not an objective process, but one which fuels and is fuelled by processes that are highly subjective: “Nature, as we now know, does not refer to a domain of reality, but to ... a hidden procedure for apportioning speech and authority, for dividing up facts and values” (Latour, 1998:133). Political ecologists have been working since the 1980’s to undermine this divide and theorise the interconnections between ‘the environment’ and ‘human social life’. As Latour (1998:222) states: “...everything is interrelated...humankind and nature are one and the same thing and [it] is now necessary to manage a single system of nature and society in order to avoid a moral, economic and ecological disaster.”

This is echoed by Ingold (2000:20), when he says that the notion of the environment “should in no way be confused with the concept of nature”. What is meant by this statement is that the environment is the all-encompassing system of which humanity is a feature, and not merely an observer, whereas the concept of “nature” is all too often seen as everything except that which is human or human-influenced. Furthermore, “the world can exist as nature for a being that does not belong there, and that can look upon it, in the manner of a detached scientist, from such a safe distance that it is easy to connive in the illusion that it is unaffected by his presence” (ibid.). From McGoodwin (2006:191), “It must be recognised, once and for all, that fisheries are a human phenomenon – the articulation of marine ecosystems with human social, ecological, political and economic systems”.

It is due to this recognition of the dialectical nature of the relationship between these two spheres of life on earth, the human and non-human, that it can be said that “the structures and processes that are central to the expertise of social scientists are as important to environmental problems as those that are of interest to natural scientists” (Montell; 1994:7). The imperative here is to integrate these two broad perspectives, aiming to investigate socio-ecological issues, as opposed to either social *or* ecological, in an acknowledgement of the immersion of mankind in its environment. In light of this, by looking at how the people I spoke with spoke about the ocean, I was able to begin to trace differences in the various understandings of it that could be seen to influence the manner in which individuals, and groups, interacted with and over the issue of fishing rights. The

first step in this process is to determine the influential variables of the position/s of authority that players occupy in the larger socio-political arena in discussion.

Authority

It is important to understand how the inherent positions and authority held by the respective groups allow them to retain or force them to abandon the various features of their discourses. Authority here not only refers to the positions of power which may be enjoyed by each of the respective parties, but also the manner in which they are regarded by others as powerful, due to the knowledge they hold or resources they have access to.

Scientific knowledge, as discussed by many but most notably by Bruno Latour in his *Politics of Nature* (2004), holds a position of authority as highly specialised knowledge which is abstracted from the socio-cultural into the realm of “the scientific” in order to perpetuate the myth of objectivity. The abstraction occurs when observable, measurable fact is favoured over other observations that are more qualitative, experiential, intangible as opposed to quantitative, objective, empirical. Numbers are given privilege over perceptions, experiments over experience. In Tim Ingold’s *Lines* (2007), the author discusses the technology of the line, tracing formalisations of lines through discussions of music, writing, drawing, cartography and movement. His central argument is that through the drawing of a line in thought or reality, decisions are made that reflect a particular path through the world or a system of knowledge that negates other possible paths through the rhizomatic network that is the sum of life. These paths are chosen according to the positioning of the subjectivity that is doing the path-finding. In the conventions of the scientific discipline, these lines represent the articulation of choices based on the values discussed above: quantitative, objective and empirical, to the neglect of more overtly subjective values such as sensual experience or phenomenological understanding. In this way, ‘modernity’ (or Enlightenment rationalist thought, such as in the institutionalised sciences) erases human movement from its knowledge recording technologies. The result is that the knowledge that is recorded is ultimately a system from which the human has been removed, a ‘pure’ observation of the world as it supposedly is. However, this further entrenches the fallible argument that humans are somehow separate from the world, and that the knowledge borne out of

experience and sensual observation is improper evidence in the search for moments of truth. The point here is not that the pathways of knowledge followed or created by scientific thought is wrong, but that it represents a particular series of choices made that are as specified as those made by other modes of thought or ways of being.

Those who are bearers of this kind of knowledge are experts, rightly so, but experts in a highly specialised and often compartmentalised knowledge. Such knowledge often excludes perspectives that are constructed by different social worlds with differing epistemic requirements, but nonetheless come into play in the same contest. Knowledge is in many instances power, most concretely when the knowledge is accepted as infallible by both experts *and* lay-people - the acceptance of it as powerful then is not confined to disciplinary or institutional boundaries, but is considered as such in the public sphere also. As discussed by Igoe (2004:58), “scientific discourses, as they inform conservation and development, do not describe the problems they are trying to solve as often as they justify existing relationships of power”. The nature of such knowledge (developed from dualisms such as nature/culture, fact/value, experience/observation) easily leads to this. Thus, it is not the fact of scientific knowledge that informs this hierarchy, but the nature thereof as a tool for ‘knowing’ the world. However, the fact that adherents to this system of knowledge are often doing the informing, the describing and the attempted solving of the problems of the world, means that the existing relationships of power formed around the nexus of institutionalised knowledge are not questioned, or considered less influential than they directly are. That “they” are the experts are not questioned, and so the manner in which they proceed places itself beyond question also.

The ‘State’ is, of course, also a bearer of authority. However, unlike ‘Science’, it is an authority not so much because of the knowledge it holds, but because it holds and grants the power to act or prevent action in the numerous and overlapping spheres of life regulated by legislation. It holds a position of power in terms of its political authority, which gives it the possibility of legitimising certain kinds of knowledge according to its governing policies and ideologies. These two idealised groups of actors, those in the realm of Science and those in that of the State, both hold positions of power that allow them to engage on fairly equal terms as they hold positions to which one must graduate.

The fishermen of Kassiesbaai, however, are clearly in a position of much less authority, as theirs – localised and historical experienced-informed knowledge – is not one which can be qualified on the same social conventions of expertise as the former two, and so their graduation to a status of expertise is not always acknowledged by the greater public. There is an absence of formal, far-reaching organisations with which the fishermen can affiliate themselves as individuals or communities, which would facilitate engaging with the state. There are indeed well-run and committed organisations, such as the Artisanal Fisher's Association and Masifundise, which have taken up the cause of South Africa's underprivileged fishermen, but these are in effect largely regional (mainly on the West Coast) and as yet lack the structures to comprehensively pull together the many scattered fishing towns along the whole of the Cape coast. The fishermen are not always automatically included in the conversation surrounding fishing rights, and so often must force their voices into the fray by a number of means which are not always appreciated by the other players – e.g. public protest and poaching. Of course, this is a way of creating a position of authority – by not complying the fishermen are asserting their influence on the situation, in ways varying from acts of a destructive nature (poaching or interrupting meetings through protest) to the lobbying of government and the DEAT through the legal system (filing law-suits against the DEAT, demanding public forums).

While all three groups hold differing positions of varying kinds of authority, all are engaged in the policy process at particular stages and so are all active players in this difficult negotiation. These three sketches give an indication of the overall differing positions of authority occupied by each of these three generalised groups. In each is evident the assumption that humans hold a certain authority over the natural world, an idea which has far-reaching consequences for any discussion on the management and conservation of natural resources. Despite this similarity, it is also evident that there is the potential for much conflict between those who occupy different positions of differing authority within the same field. Therefore the next part of the discussion looks at what conflict there is and the manner in which it is manifested.

A Question of Trust

In his theory of communicative action, Jurgen Habermas addresses (among many other issues) the nature of communication between individuals in the public sphere, unpicking the ways in which communication results in consensual action. His focus on language and utterances is relevant here as I will be focussing on misunderstandings in Kassiesbaai about fishing policy. Habermas argues that the validity claim of a speech act acts as a guarantee that the speaker could produce supporting reasons as to why the utterance must be accepted, which (tacitly accepted by the listener) results in communicative action – when a verbal request is complied or agreed with, a consensus is reached through which both speaker and listener move from communication to action. Central to this idea that the listener accepts what the speaker is saying, is the implicit idea that the listener *trusts* the speaker to be drawing on supportive claims that they will themselves accept as true. Disagreement occurs when a validity claim is rejected, and then the situation moves from one of action to one of discourse (Finlayson, 2005: 40-42). In Habermas's understanding, discourse is a process of communicating about communication, an unpicking of the validity claims and counterclaims to reach a point where consensual action is again possible. This can be applied to the situation in Kassiesbaai, where disagreement over validity claims amongst various individuals and entities has resulted in unsuccessful action, and where there is conflict over whose validity claim is ultimately accepted. Assumed in Habermas's formulation is that the actors in such a public sphere will undoubtedly be acting in a rational manner, something which even the scantest knowledge or experience of human political interaction will contradict. While his formulation is an idealisation of this process, I find it useful nonetheless, as says much about what is not happening as about what should be happening. Much of the conflict generated in the public debate over fishing rights is founded on the disappointment of expectations that the various actors will behave objectively, rationally. This disappointment is not caused by the lack of rationality per se, but by the discrepancies between the various rationalities at play.

I argue that, in the case of the implementation of the Marine Living Resources Act of 1998 in Kassiesbaai, participants in the debate over the process followed rejected each other's validity claims and so disrupted the potential for consensual action.

However, I argue that the situation then did not become communication about communication, but due to the differing validity claims being juxtaposed, became a situation wherein both action and communication became difficult. My intention here is to highlight some of the conflicting validity claims that have hampered the potential for action, showing how these nodes of discrepancy need to be acknowledged and spoken about (communication about communication) so that “common situation definitions” may be reached. The final goal may be action, but first the priority should be understanding between holders of conflicting validity claims.

There is a palpable sense of mistrust towards government officials and “the scientific community” exhibited by the residents of Kassiesbaai. I received a small taste of it on one of my first days of fieldwork when, down at the slipway speaking to a group of current and former fishermen, I was questioned about my intentions and my religious beliefs³⁷. What was implied in the questioning was that the group did not feel confident that I would listen to what they had to say, but would merely pick out what I perceived to be in line with what *I* wanted to say. I was told stories of fly-by-night researchers who would only stay for two days before disappearing back to Pretoria to write their reports³⁸, with residents hearing nothing again “*tot dat dit slegte nuus was*” (till it was bad news). A particularly striking example of what is considered ‘bad news’ was the decision by Marine and Coastal Management to close the “*harder*” (mullet) fishery from Macassar to Knysna at one point. The reason given for this was that the species was not being caught along this part of the coast. This is easy to dispute if one has spent any time in Waenhuiskrans, as the event of *harder* fishing is a regular sight (I witnessed two such events during the weeks I was there)³⁹.

In a meeting I attended in March 2007, the coordinator of the gathering, Mr Desmond Marinus spent two hours sitting alone in front of a crowd of about 30 residents

³⁷ The question “*Glo jy in God?*” (Do you believe in God?) was asked in the light of a previous researcher who had admitted to being an atheist, and so alienated the devoutly Christian members of the community to who he had spoken. To the community this represents such a different, even offensive, world-view that I got the distinct impression cooperation would be denied me if I answer the same. This point is relevant to the later discussion of the difference in imaginings of the ocean.

³⁸ While the details of these researchers are difficult to pin down, it is not the truth of the statement that is interesting, but the nature of the perception of professionals held by this group towards this category that they have identified.

³⁹ The fish come into the shallows, and the fishermen corral them into a seine net and then manually haul it out and disengage the fish from the netting.

from Kassiesbaai, in a set-up that seemed to me to resemble a firing squad. In the crowd were a number of out-of-work fishermen and the then-mayor of the Cape Agulhas Ward, Mrs Eve Marthinus. The purpose of the meeting was to update the residents on the ongoing policy formulations and recent rulings on access rights allocations. While Mr Marinus tried to work through the lengthy draft document that was up for discussion, the crowd increasingly interrupted and heckled him, asking questions on points that he had just covered. When he asked them why they were questioning him on things that are covered in the document (of which each person in the crowd had an Afrikaans copy), a man in the audience replied that he wanted to hear it from someone's mouth, so that a person could be held responsible for the information imparted. He did not want to hear about his possible future from a piece of paper. Mr Marinus replied that his job was not to make promises, but to take feedback from the fishermen to his superiors, in answer to which members of the crowd made sounds of incredulity. Increasingly frustrated in his attempts to move the discussion forward past points of contention, Mr Marinus began to explain that he was just a messenger, that it was "the scientists" (*die wetenskaplikes*) that were the decision-makers. I left this meeting with a clear sense of the mistrust, and contempt, with which the out of work fishermen in Kassiesbaai regard MCM and those who advise them. Furthermore, I realised that communication was being impeded not entirely by what was being said, but also by how and by whom it was being uttered.

On more than one occasion I was told that the government "*is nie vir ons nie*" (isn't on our side) and that the actions of the state prove that they don't care about "*ons*" and will only listen to those with money. In an allusion to poaching, one lady told me the men were being forced (by the government) to do things that they wouldn't usually do (an allusion to crime, i.e. poaching), a sentiment echoed in instances from around the Western Cape coast. As stated in the Cape Agulhas Tribune (2 November 2006): "*Vissers sê die regering dwing hul nou om hul tot misdad te wend, want daar is geen ander manier om kos op die tafel en klere aan die lyf te kry nie.*" (Fishermen say the government is now forcing them to turn to crime, because there is no other way to put food on the table and clothes on the body.)⁴⁰ And put more directly: "*As die regering ons*

⁴⁰"Julle dwing ons om te poach", Cape Agulhas Tribune, Volume 5, Issue 43, 2 November 2006, front page, no author given.

dit nie toelaat nie, dan stroom ons” (“If the government doesn’t let us, then we poach”); and “*Die minister moet tronk toe omdat wat hy aan ons doen, krimineel is*” (The minister must go to jail, because what he’s doing to us is criminal.) The latter quote is interesting, as the language used turns the tables quite expertly. It is not the fishermen who are criminal, but the government (or specifically Minister van Schalkwyk) as it is him that is responsible for their suffering (in this subjective formulation).

Explicit in Kassiesbaai amongst my interviewees was also the idea that this particular community was being ignored for not being black – racial expletives were often used, in speaking of the higher levels of government and also in general conversation⁴¹. This lack of trust is noted by Hersoug:

Whatever the real merit of the allegations, the problem (seen from a management point of view) is the widespread lack of trust in the administration, their regulations and their officers, a fact which makes poaching all the more reasonable and acceptable at the grass roots level.

Hersoug 1998:80

In my conversations with scientists and government officials, the fishermen were also spoken of in mistrustful terms. Individuals from both groups made it clear that the fishermen “could not be trusted to manage the resources” or comply with the regulations properly. In speaking to one marine scientist in particular, I was told that “these people never tow the line”.⁴² One of the Marine and Coastal Management officials based at the

“As die regering ons dit nie toelaat nie, dan stroom ons” (*If the government doesn’t let us, then we poach.*) Mr Wilfred Joshua quoted in “Vissers ignoreer wet”, by Llewellyn Prince, *Die Burger*, 13 December 2006. “Die minister moet tronk toe omdat wat hy aan ons doen, krimineel is.” (*The minister must go to jail, because what he’s doing to us is criminal.*) Mr Andrew Lewis quoted in the same article (Vissers ignoreer wet).

⁴¹ In respect to both black and white people – the latter who are commonly referred to as “*boere*” (the term, meaning farmer, historically used during Apartheid as a reciprocal derogatory term towards Afrikaans white people).

⁴² In the same conversation, it was plain to me that the scientist in question was worried about how I (as an anthropologist) viewed his critical view of the fishermen. After effectively telling me that “these people” can’t simply have what they want, he suddenly stated, “You know, I don’t hate people”. What struck me first was the issue of interdisciplinary cooperation (or lack thereof) between various professions involved in broadly the same area of research. Furthermore, it is clear from this utterance that he views the debate in a dualistic manner that pits nature against culture, with culture seen as the enemy of nature. This is a prevalent view, central to the ideas of fortress conservation which is grounded in the belief that nature can only be preserved if locked away from human influence.

slipway in Waenhuiskrans⁴³, asked me upon introduction if I had a letter or card with me that I could show him to verify what I had told him of myself and my credentials. I did not, as it happened, and he politely asked me to come back with some, in case I was “maybe from 3rd Degree [the investigative journalism programme on E-TV]”. It struck as strange that a Marine official based in a small village with a slipway would be so cautious. Some time after this discussion with him, his colleague (who is from the village) told me that he had been anonymously attacked and severely beaten some months back when he had made a report on some of the illegal activities in the area. He would not speak of it, and stayed, but was much more reserved in those of his duties that involve policing of the fishermen and their catch.

Thus, three broad groupings, involved at various levels with the task of engaging with the issue of access rights to fishing in Kassiesbaai, began to emerge in my investigations. Rigidly defining a group, and trying to argue that all its members speak and think the same way is a futile and unattractive project, particularly when my focus is in such a relatively small site. However, there were broad tendencies I identified in the manner in which individuals spoke about the issues which I have drawn together in an overview, with the specific intention of highlighting how the resident fishermen and their families speak about the ocean and what this means for them as they try to appeal or circumvent changes.

The three groups that I have delineated are: marine fisheries scientists⁴⁴ (working in various institutions) who have an influence on the formation of South Africa’s fishing policy; government officials involved in marine policy development and implementation; the fishermen and their families resident in the village of Kassiesbaai. Each of these groups is invested in the issue in various ways, which is illuminated by an analysis of the general discourse used by members of each. The issue of membership can be

⁴³ There are usually three officials in the office at the slipway, two of whom are not from the Overberg and one who was born and raised in Waenhuiskrans. The official being quoted here is one of the two men who are not from the area. The official who is ‘local’ is not himself immune to antagonism based on his uniform, as he said to me: “Sodra jy die uniform aan het, maak nie saak wat jou doel is op die hawe nie...Hier werk dit so, jy het so uniform aan, jy’s een van hulle, jy’s een van hulle wetmakers.” (*As soon as you have the uniform on, doesn’t matter what your purpose at the harbour is...Here is works like this, you wear the uniform, you’re one of them, you’re one of those law-makers.*)

⁴⁴ Marine fisheries scientists, as opposed to general marine scientists, are specified here as they are involved in the research that estimates and tracks fish stocks while making proposals as to the appropriate level and means of extraction.

problematic, so to be clear, it is not a status I have applied to the individuals spoken to, but one which they explicitly see themselves as having. I argue that members of these three groups are engaged in conversation over the issue of fishing rights using discrepant understandings of the ocean, which fuels the mistrust between the respective groups and disallows the successful implementation of the relevant resource management policy. It is a self-fulfilling cycle, as the mistrust fuels misunderstanding and the results of misunderstanding in turn fuels mistrust.

It is not my intention to demonise any one of the groups, nor do I propose that each of these groups are homogenous and represent either the whole of the marine science community, all government officials or every impoverished fisherman along our coasts. Neither do I assume that these categories represent all the ocean's 'users'. Not included in my discussion are the many recreational users that no doubt have specific perspectives on the issues at play here, or the large-scale commercial companies which have their own very vested interests. My concern is with a certain process that occurs when national policy is communicated, successfully or not, into the lives of the small-scale fisherman. What I am examining is the manner in which factions of each interact with each other in the site of Kassiesbaai and the impact this has on the manner in which fishing policy is understood by the resident long-term fishermen. As Hauck and Sowman observe, "coastal areas are characterised by heterogeneity of users with uneven powers, conflicting interests, unequal bargaining powers and different stakeholder values and rationalities." (2003:27) It is this scenario, as played out in Kassiesbaai, that is my area of interest and which this chapter seeks to investigate, looking at the discrepant rationalities employed, with the goal of understanding how this conflictual situation might be ameliorated.

The idea that there exists great misunderstanding is not a realisation which is new; representatives of all three groups have noted to me that there is this gap in understanding between the respective groups. Both private and governmental scientists with whom I have either conducted interviews or email correspondence, using what they consider to be necessarily technical jargon, know that the fishers and many of the government officials do not have the background in science to understand the language they use in respect to the oceanic system. In the interviews conducted with the director of a large private

resource assessment and consulting agency, he noted this repeatedly throughout our conversations, saying that “They [both government and the fishermen] don’t understand what we’re trying to tell them”. The government officials involved in this conversation note this too, with one Marine and Coastal Management official (mandated with conducting public meetings in the fishing towns) revealing to me that he thought that there would be less conflict if the situation was understood better by all involved – implying here that he thinks it is different understandings of the intention and process that is beleaguering the management of the marine resources.

Most of the fishermen of Kassiesbaai quite simply feel that no one understands their position because they are unwilling to listen to them, and when they do, do not succeed in understanding because their position is so far removed from their own. One ex-fishermen aged about 72 with several family members who are currently out of work fishermen, exclaimed to me “*Wat weet hulle? Dis óns lewe hier.*” (What do they know? This here is *our* life.) Implicit in this statement is the sentiment that whatever authoritative position outsiders might hold, their jurisdiction does not extend to this domain of which they do not have practical knowledge (a lack attributed, in this sentiment, to the lack of experience of a certain way of life). The argument concerns authority, not only in terms of who has the power to institute or limit action, but who has the authority of practical knowledge (derived from experience). In this view, practical knowledge constitutes the sole basis on which reliable judgement can be made. Following then is a discussion on certain features of knowledges communicated to me that influence decisions of observation and judgement: imaginings of the oceans, temporal perspectives and attributed values.

Imaginings of the Ocean

The fundamental difference identified stems from the manner in which different individuals imagine the ocean – how they conceptualise, term and speak of the sea. The scientists who spoke to me and whose work I have read, I argue, theorise the ocean in highly specific and highly technical terms, thinking of it as a non-human ecological system that requires a high proficiency in maths and science in order to correctly understand. One professional, currently private but previously employed by the DEAT,

said to me that the reason why the fishermen are unhappy with the changes is because they don't have the education to understand what is being told to them. Tables, graphs and formulas in such reports and publications track numbers and species, and extrapolate their potential future numbers as influenced by a myriad of biological and environmental factors. Here the ocean is objectified through the language used to speak of it, so far removed from an experiential understanding thereof. Humans are, ideally, not present – a perfect ecosystem is represented as one where humans have not been allowed in, a regular feature of 'fortress conservation'. When in fact they are, it is most often in a negative capacity that has had or will have a detrimental affect on the ocean through their uninformed or malicious action.

Government officials who are involved in the marine sector, located in the DEAT and specifically MCM, speak of the ocean (officially) as a national asset and an economic resource. In the lead up to and implementation of the Marine Living Resources Act of 1998, the sea is offered as a potentially powerful tool of socio-economic redress in the public statements and press-releases. The literature produced by the government explaining the change in legislation speaks of sustainability, but does not question the viability of exploitation. Despite the many other means by which the beauty, bounty or forces of the ocean can be harnessed, the manner of exploitation highlighted and most frequently spoken of here is "harvesting". The ocean here is something owned, albeit by "the people of South Africa"⁴⁵, and therefore something that can potentially be controlled despite its vastness, complexity and unpredictability. The human presence is removed from its natural processes, but nonetheless reliant on and in control of it. Fairhead and Leach (2003:224) argue that when attempts are made to implement resource management strategies "without questioning the overall premise that nature can be managed to achieve predictable outcomes, inconsistencies arise which generate further instability and forms of dissent, and which widen the gulf between such forms of governance and the daily realities of many people who live in unpredictable landscapes". The point here is that if "Nature" is mistakenly considered a bounded, consistent entity, then policies which rely

⁴⁵ Statement from the Minister of Environmental Affairs and Tourism on the Marine Living Resources Act 1998. Issued by: Ministry of Environmental Affairs and Tourism, Private Bag X9154, Cape Town 8000, Tel: (021) 45-7240, 31 August 1998. "...Unless the Minister makes a different decision, only South Africans will be allowed to fish in South African waters." *Fish for the Future*, p 6.

on this conception will be insufficient to cope with any subsequent complexity that does not fit into the frame of this simplistic conceptualisation. This is glaringly true in the case of marine policy in the context of Kassiesbaai. The government's decision to repeal fishing rights (in an attempt to control a highly dynamic system of interaction) has resulted in a situation of impoverishment and non-compliance. This is clearly at odds with its intended goals of socio-economic empowerment and greater resource regulation.

The fishermen of Kassiesbaai have a very different understanding of this entity known as the sea or ocean. The ideas of the ocean being "God's gift" (*van God gegee*), God's bounty and of an infinite nature, feature frequently in the discussions conducted during my fieldwork. In one heated town meeting that was to be the feedback from a meeting held with current Minister Marthinus van Schalkwyk (Department of Environmental Affairs and Tourism), a man reacted vehemently to a comment by the previous Cape Agulhas Ward mayor Mrs Eve Marthinus about the declining fish-stocks. He threw back his head and exclaimed that the ocean was a gift from God and *He* would *never* take it back. His comment was met by a joyous crowd who broke into the evangelising that is common in this highly religious, Christian village⁴⁶. It is difficult to quote such an example, as it is spoken fast, but the introduction to such oft-occurring choruses follow the same general lines: *O Here God, liewe Jesus, goeie God, luister nou na ons, luister nou na jou mense, asseblief Here, o liewe Jesus, ons vra jou vandag om ons te hoor, Here, en ons te antwoord nou hier vandag...* (Oh Lord God, sweet Jesus, God of goodness, listen to us, listen to your people, please Lord, oh sweet Jesus, we ask you to hear us today, Lord, and to answer us here today).

There is much emotion invested in the sea, and it is clear from looking at the reasons why this is so, how God came to be so highly invoked. Apart from the religious aspect which sees the Earth as God's creation and dominion, the sea has played a significant role in the lives of the fishermen to the extent that it is a living entity and not just a place or a thing. Many people have lost family members to it, drowned on fishing expeditions in rough seas. Many have survived times of poverty from it, not due to

⁴⁶ There are two established (i.e. with their own built churches) congregations in the community, along with several (about 5 at the time of fieldwork) of informal *huis-kerke* (home churches) that are ministered by lay-preachers and conducted in their homes. Many are formed and dissolved according agreements or arguments over both personal and theological matters.

commercial fishing, but by feeding themselves and family from it. An elderly lady with whom I frequently spoke excitedly described all the things the sea “gave” them as children to make life a bit easier – from shells to sell, to food, to pumice for various cosmetic and household purposes, to driftwood to build or patch up houses with. It is and has for generations been a protagonist in their lives – either admitting or preventing men from fishing, or dredging up gifts to leave on the tide line after a storm. Emotions are frequently attributed to it; it can either be angry (*kwaai*) or restful (*rustig*). As a force of God, its cruelty is lamented, but never questioned. Never in any of the tales of tragedy I was told was it implied that these events were unfair or unjust; the ocean represents God’s will and so stands above judgement.

Thus, the manner in which the fishermen of Kassiesbaai relate to the ocean is on a deeply personal and involved level, making it very difficult to think of it in the much more impersonal terms of national asset or oceanic system. They claim they know it, how could they not after such long lives together? Many of the long-term fishermen and their families have spent the majority, if not all, of their lives in the small town of Waenhuiskrans. Such long-term and concentrated, intimate knowledge and experience of a place creates an understanding of it that is difficult, if not impossible, to fully express such a perspective in tangible sentiments. Ingold’s dwelling perspective (2000) is relevant to this discussion. This argument, built on his work concerning hunter-gatherers, states that people who maintain lives and livelihoods through close interaction with nature see themselves so immersed in their environment that their identities, skills, practices and beliefs make sense only in the context of it. The long-term fishermen of Kassiesbaai see their environment as linked to their selves and their lives so deeply as to be practically inextricable. Life on and next to the sea is one of enskilment, with son having watched and learning from fathers on the shore for years, before joining them and learning further from the experience of being on the boat. Speaking to a group of three now all retired fishermen (gathered at the slipway), who worked on the boats from (on average) their 13th year well into their fifties or sixties, I was told that there is no formal instruction as such in the art of fishing, “*elk moet maar vir himself leer, hy moet kyk, en so leer*” (each must learn for himself, he must look, and so learn). The young men and

boys who are just starting out must keep a keen eye on his elders on the boat and do as they do, picking up knowledge as he goes and does.

Such a close relationship to something so powerful can provoke strong emotions, which exasperates those scientists who believe in the ideal of emotion-free objectivity. As one professional marine scientist said to me, when asked what his suggestions for greater cooperation between science and fishers would be, “They need to be more objective.” When I pointed out that for many reasons they cannot be, that their experience is a highly subjective one that can only with great difficulty and great diplomacy be abstracted to something more general, particularly because of the religious beliefs held by the community, he immediately discounted the possibility of dialogue by sighing “I’m a scientist, how can I be expected to talk to them about these things [religion]?” Such a reaction is as alienating in the context of dialogue with residents of Kassiesbaai as their reaction to his perspective, as the discussed centrality of religion in their daily lives means that an unwillingness to engage with them on such a level is seen as offensive and will largely disallow the possibility of fruitful engagement. While I do not suggest that fisheries scientists should now also brush up their theology, I do think that if attempts were made to acknowledge the community’s beliefs within the dialogue process, there would be less resistance to the scientists’ version of events.

These three views are opposed with respect to the scope granted to the ocean. For the fishermen, it is infinite and their birthright, something which is undeniably theirs and part of their perspective on the world. For the government, it is not infinite but certainly plentiful enough to be exploited. And a resource that, while most certainly owned, is owned by “the people of South Africa”. For the scientists, it is running out - access should therefore be restricted as much as possible. In this respect, some marine fisheries experts seem to think that while the oceans belong to no one, they do belong to science (as it is the only sector who truly understands it). Such discrepancies are at play in the disagreements between the three groupings. While imperative to ease the poverty and economic distress of communities such as Kassiesbaai that have limited development potential, it is also necessary to conserve the marine eco-system.

Temporality

Charles Wood discusses the importance of temporal considerations and perspective that include them in a recent article entitled “Time, Cycles and Tempo in Socio-Ecological Research and Environmental Policy” (2008). From his introduction:

Temporal factors are of paramount importance because the degree to which society and nature operate in consonance or dissonance profoundly influences the health of the natural environment, the structure of the social system and, hence, the prospects of sustainable development...Inconsistent assumptions about time, cycles and tempos can be so thoroughly embedded in the theories, methods and instrumentations intrinsic to particular specializations that multidisciplinary initiatives are often hobbled or defeated despite concerted efforts to establish a common agenda. (2008:262)

As my following discussion will show, this proves true for the implementation and development of South Africa’s marine policy, as played out in the experience of long-term residents and fishermen (see also Nadasdy 2006).

There are two distinct instances wherein the differing temporalities experienced and employed by the various groups serve to hinder understanding or congruency of discourses. These flow from the discrepant views on the ocean held, but also from the manner in which the village of Kassiesbaai and others similar to them are viewed. Firstly, there is the understanding of history (both as a personal story and as a concept, “History”), whereby each group judges their own and others place in the historical progression.

For the scientific community discussed here, as well as other academics and professionals who have added their voices to the debate, the time-frame employed is long-term one, wherein the ocean and both its history is spoken of in many years, sometimes centuries. One of the best examples of this that was said to me during an interview held briefly after a town meeting, was that the fishermen of South Africa couldn’t be called subsistence as they had only been engaged in such fishing activities for a few hundred years, unlike the Maoris of New Zealand who have “been doing it for thousands”. Where does history start, where does it stop? And, importantly, how are histories made, and by whom? Joanne Rappaport engages with this question at length in her book *The Politics of Memory* (1990), a study of the local historiography of the Páez in Columbia. Investigating historiography in a context of political changes and various

upheavals, she notes how history is often invoked in a manner that says more about the present than about the past: "...Historical consciousness...is founded on a moral link with the past that is operationalised in the interest of achieving political goals in the present. (1990: 9)" This feature of the manufacture of history is not peculiar to small groups of semi-indigenous peoples living in Columbia, but is present in many instances of deciding what is history across the global board. It is clearly at play in the context of subsistence fishermen in South Africa, with groups and individuals arguing for a political present on the basis of a subjective reinterpretation of the past.

For the politicians involved, the history of South Africa's fishermen refers back till before the liberation, pre-1994. The term most employed in the legislation, public statements and speeches to refer to the impoverished fishermen is "the historically previously disadvantaged" (or HDI's), referring to Apartheid and its injustices⁴⁷. Here the millions of stories of Apartheid South Africa collected under one broad term – History – and the individuals of this saga united under one category also. While true (and necessary from a national policy framework perspective for reasons of practicality), this macro-perspective allows a historically-homogenous and limited view that ignores the individual histories and trajectories of the country's fishing communities. This is core language of the ANC government's programme of redress under the banner of "Transformation" (the problems of which are discussed in Chapter One). Van Sittert (2002:295-296) makes the case that Apartheid is a "blunt analytical tool when applied to the fisheries" and that, while racially organised, the "gross inequalities" of the fishing industry is due to capitalism more than racism. Its use "has no clear advantage for the underclass", as reform is reduced to "blackening the state and industry" (in other words, transforming the large-scale commercial sector instead of ensuring that capacity and capital are spread amongst the small- or medium-scale fishermen) (ibid.).

For the fishermen the sense of history is long-term and highly personal. Not only do they hold the title of a "living heritage resource" which governs several aspects of their lives, but the village itself is historical in the sense that those who came before lived

⁴⁷ What is interesting in the use of this term to describe the socio-political status of the fishermen and their families, is that while they were historically disadvantaged under one political regime, they remain so under the current one also. Their current underprivileged status is attributed to the political era which (at least officially) ended fourteen years ago – not to the changes effected in the last ten years under the democratic dispensation, since at least 1998.

their lives where the current generations are now growing up. In a village where the family names of most of the original settlers are still to be found thriving, their history is told through recounting the experiences of forebears. The proximity with which they and their forebears lives have been led means that much of this is common knowledge. With this, perhaps the cause, perhaps the result, is the tendency for “*skinder*” (gossip) amongst the residents. For example, in the sewing circle I sat in on (every Tuesday and Thursday afternoon with around six or seven ladies present, always the same core five), much time was spent recounting or disseminating stories and updates on a number of residents⁴⁸. Tant Poppie⁴⁹, a member of the sewing circle, was somewhat jokingly but repeatedly referred to as “*n inkommer*” (an incomer, referring to someone who moved to the village and was not born and does not have blood family here), even though she had lived there for close to twenty years and had married a resident. What she lacks, if it can be phrased like that, are predecessors who were born and died there. It is this, such links to the past, which transcends the life of the individual and anchors it not only back in time but lineage. “History” is alive, present and generally spoken of as if beginning at the settling of the original five families. As discussed in Chapter 1, the collective and individual identities of the long-term fishermen and their families are inextricably bound up in this. Furthermore, it is not a history only of people, but also of a place. The landscape which the residents inhabit is as much a part of the story as the characters past and present. Ingold addresses this point by quoting Inglis: “A landscape is the most solid appearance in which a history can declare itself” (2000:198). And from Rappaport again: “[They have] encoded their history in their sacred geography, so that past meets present in the very terrain on which they live. (1990: 9)”

An interesting addendum to this short discussion on history is the case of Mr Pieter Swart, an elderly resident of Kassiesbaai who last year approached my father, as a member of the Waenhuiskrans/Arniston Community Development Trust, with a thin volume which he had written about the history of the village and its people. He wanted

⁴⁸ While a very private community, often reluctant to talk to outsiders as I was told and experienced during my fieldwork, the ladies were comfortable to talk in front of me as they spoke of people I did not know and often used their nicknames. There was a distinction made between “public” stories (most often tragic or joyous) and “private” stories (most often about indiscretions be they legal, sexual or interpersonal), the latter concealed and the former told to me quite freely.

⁴⁹ Her *noem-naam* or nickname.

people to read it, possibly through publication, but problems were presented by the many factual inaccuracies contained within his text. Speaking to him about it, he indicated he did not much mind if someone were to correct these points, saying that he just wanted to have an idea of the history of the village put out there, what he had written was as he remembered it, and as an old man he couldn't be expected to remember everything perfectly. My father weighed up the options, and after consulting with the author and others, decided to publish the small booklet as is⁵⁰. The way that it was written is quite intricate and allegorical, even mythical, and the perspective it gives on the history of Kassiesbaai speaks a lot about the legends currently alive in the village, the colourful tradition of storytelling and about what features of the history the author sees as particularly important (often through exaggeration). In her conclusion to her discussion of Páez historiography, Rappaport closes with a pertinent comment. She says people are “moved to action by forging a moral link to the distant past”, the efficacy of which “lies in the merging of history and myth, not in any separation of the two” (1990: 189).

In the second instance of the difference in temporal perspectives, the discrepancy is due to time-frames for action. In speaking to the private consultant who had written reports for the ANC on proposals for the transformation of the fisheries industry, prior to 1994, he repeatedly stated that the time-frame needed to properly regulate and stabilise the resource is 5 to 10 years at least, adding that the government had disagreed and had wanted to be able to free up access rights more quickly. In this respect the government is closer in their perspective to the fishermen, who out of economic necessity are adamant that change for their benefit must happen within the short-term. For the fishermen of Kassiesbaai, most without a permanent job or reliable income, marine resources have for a long time been the shortest path to much-needed cash in the hand. Most do not have the means to wait five years for fish stocks to stabilise. In the absence of legal fishing, the instance of poaching has increased dramatically (which had previously been present, but to a much lesser extent). The scale of poaching in the Western Cape has risen dramatically in the past decade, with many of the poaching activities related to gang transactions (Hauck & Sowman, 2003; Steinberg, 2005). The dramatic effect of the

⁵⁰ Swart. Pieter. 2008. *Voetspore in die Gonnabos* (Footprints in the Gannabush). Marie Trust. Gonnabos is an indigenous coastal plant, *Passerina Rigida*.

implementation of the legislation, along with the subsequent feeling of resentment (discussed previously) towards the government, has fuelled poaching as a means of getting back⁵¹. As Fairhead and Leach (2003) discuss in their book *Science, Society and Power*:

...Where there is no available platform or coalition for their expression, publics also find ways to 'contest' science and policy...They also include everyday forms of resistance by villages whose knowledge and values are excluded or incommensurable with science and policy...

(2003:237)

McGoodwin (2006) quotes in a similar vein:

Fisheries scientists and managers must also come to terms with the fact that fishers' knowledge may include traditions of political activism, which the fishers may assert in order to protect what they feel are their rights to certain marine resources. Thus, fisheries managers who ignore this, and instead feel their task is merely to manage resources with regard for biological conservation and economic maximisation for the region or the state, may find themselves expending inordinate amounts of time dealing with fishers' political activism, not to mention defiant and illegal fishing practices.

(2006:184)

Despite the government and fishermen's similar time-frames, the difference is such that they are in conflict nonetheless. As discussed by Wood (2008:264):

Because the consequences of decisions made today will be experienced by present generations and by generations to come, futures are being constructed and foreclosed with political tools that are unresponsive to citizens who live beyond the temporal boundaries of the deciding government's term of office.

If a level-playing field is at all to be constructed from the relevant discourses, these temporal discrepancies must be identified in all instances of occurrence and consciously negotiated by those involved by examining their own and others positions and prioritizations. Priority is closely linked to value, with preference given to those things that hold the highest value.

⁵¹ "As die regering ons dit nie toelaat nie, dan stroom ons" (*If the government doesn't let us, then we poach.*) Mr Wilfred Joshua quoted in "Vissers ignoreer wet", by Llewellyn Prince, *Die Burger*, 13 December 2006.

Of Facts and Value

The value or meaning attributed to the ocean by the groups is influenced by and influences the former two features discussed, the imaginings of the ocean and issues of temporality. The scientists who spoke at local meetings talk about the ocean in terms of the ecological, with their priority being to keep the numbers up and the system functioning. This is imperative: the world's oceans are in conditions of dire strain⁵² and the steps must be taken in order to protect them. However, the structural integrity of the social networks and processes of the coastal communities must also be carefully considered and shored up against drastic change, as valuing the one system over the other will lead to further resentment and non-compliance.

The value attributed by the government to ocean, as can be read in the language used in legislation and statements, is socio-cultural in terms of "community upliftment" and transformation (entirely necessary agendas), as well largely economic in terms of not only job creation and empowerment, but tax and levies from the income produced by the large-scale commercial sector⁵³. Here is a possible site of conflict between those committed to social and economic development, and those who seek to conserve and preserve the marine resources. For marine resources to meet the requirements of sustainability, fisheries research professionals advocate increasingly limited access rights that should more strongly regulated, while the stated intention of the government post-1994 required a greater number of new entrants and for the fisheries industry to maintain, if indeed not increase, their catches.

However, the economic emphasis in the language of the MLRA is viewed differently by Hauck and Sowman (2003:52), who argue that the focus on the "economic value of the coast" has had the effect of garnering political and commercial support for

⁵² See for example:

The Observer. "How the world is running out of fish" by Alex Renton. Sunday May 11 2008.

<http://www.guardian.co.uk/environment/2008/may/11/fishing.food>

Washington Post. "World's Fish Supply Running Out, Researchers Warn" by Juliet Eilperin. Friday, November 3, 2006;1. <http://www.washingtonpost.com/wp-dyn/content/article/2006/11/02/AR2006110200913.html>

New York Times. "Ocean 'Dead Zones' on the Rise" by Bina Venkataraman. August 14, 2008.

http://www.nytimes.com/2008/08/15/science/earth/15oceans.html?_r=1&oref=slogin

⁵³ "The earnings from South African commercial fisheries in 2000 totalled approximately R1 billion." Page 171, Chapter 7, *The Environment Outlook Report 2007*, published by the Department of Environmental Affairs and Tourism, available August 2007.

the Act, making the possibility of meeting all its goals greater. However, despite the possibility of this intention, the fact remains that the legislation is couched in economic terms and, if Hauck and Sowman's point taken, backed due to economic interests.

The value attributed to ocean by the fishermen and their families of Kassiesbaai is manifold. It involves an investment of personhood and identity that runs deep, as well as representing a source of livelihood and a connection to the God in whom they so strongly believe and in whom they place their trust. In terms of their livelihoods, it is not only valuable due to their proximity and physical ease of access; it is valuable because it is the one resource which their specialised skills can exploit.

Conclusion

The purpose of this chapter has been two-fold. Firstly, to indicate how anthropology might step into a site of conflict and contribute to a process of negotiation of interests in the realm of the 'environmental', usefully reframing the situation as socio-ecological rather than either/or. Secondly, it has attempted to show that, in the case of Waenhuiskrans, the successful long-term implementation of policy must take into account the socio-economic status of the settlement in question *and* the conceptions inherent in discourses employed by them and the others involved in the process, so as to facilitate discussion, avoid miscommunication and develop trust. Only once these steps have been achieved can there be any attempts at more inclusive or participatory resource management strategies, as it has been shown that a lack of them would simply result in even greater misunderstanding among the parties. This could result in greater levels of non-compliance on the behalf of the fishermen, and/or greater levels of control by the government, putting more strain on the already fraught relationship.

While the concept of co-management is increasingly advocated, and even implemented in certain communities (see Hauck and Sowman 2003), such a process is unfeasible in a situation of mistrust and miscommunication as exists currently between the factions as played out in Kassiesbaai. Co-management is "built on a foundation of mutual respect and trust", as Hauck and Sowman (2003:21) state. I do not propose that either discourses of the government officials or of the fisheries scientists discussed should be modified to parallel that of the fishermen, nor that the fishermen need to alter the

manner in which they speak about the ocean. What I propose is, is that these differences are acknowledged and actively negotiated in conversation. By negotiated I mean that they are paths that need to be explored in the course of a discussion, and not simply ignored. This is not my suggestion for easy solution, but before any attempt at knowledge translation can take place, it needs to be acknowledged, and accepted, that different “languages” are indeed being spoken. Habermas’s argument is central to this – until understanding is the mutual goal that is pursued over and above individual intentions, communication itself will fall victim to the conflict, and constructive action will be placed even further out of reach. He says,

“...I shall speak of communicative action whenever the actions of the agents involved are coordinated not through egocentric calculations of success but through acts of reaching understanding. In communicative action participants are not primarily oriented to their own individual successes; they pursue their individual goals under the condition that they can harmonise their plans of action on the basis of common situation definitions. In this respect the negotiation of definitions of the situation is an essential element of the interpretive accomplishments required for communicative action.”

Habermas, 1987: 285-288 (in Outhwaite, 1996)

What Habermas describes here is an ideal situation which seems to ignore power differentials and hierarchies, issues which are integral to the situation in Kassiesbaai as discussed. However, the idea I nonetheless find useful is that before communicative action is possible, there must be an active negotiation of the various definitions used by the involved parties. These nodes of discrepancy can be used as valuable starting points for a necessarily more inclusive conversation. To know where the sites of discrepancy lie opens up the possibility of identifying sites of congruency. It is the difference between knowing that there is a problem, and knowing what that problem is.

Conclusion:

My intention has been to investigate the interplay of knowledges around the issue of fishing and fishing rights, as it is occurring in the context of the community of Kassiesbaai. The Marine Living Resources Act of 1998 has impacted negatively on the social life of the community and individual and family lives of its long-term residents – most of whom, among the men, identify themselves as fishermen. The impact of this legislation has been not only in terms of socio-economics, but holds the potential to affect their identity as it is represented to the social world within and beyond the borders of this fishing village. In terms of this identity, which I have discussed as a case of personhood invested in skill, environment and lifestyle, the image of themselves in their environment has influenced the manner in which the issue of fishing rights has come to be spoken of in the general discourse of the village's long-term fishermen and their families. Contrasted this general discourse is that of marine fisheries scientists who have had direct or indirect influence on the development of the fisheries 'transformation' legislation and that of the government policy and officials who represent and are tasked with implementing these policies. This expands issues of identity further, as it is not only the socio-cultural image of themselves as a community and as individuals that is affected, but also the representation of them as citizens. The prevalence of and justification offered for poaching places many individuals and villages in direct conflict with codified law and order. To the state, they are then criminal, but to many in their immediate area who have experienced the same frustration and lack, they are often seen as a kind of freedom fighter, people who are standing up for what is 'rightfully' theirs.

My finding in Chapter One was that the framing of the 'transformation' process in terms of racial categories has not resulted in socio-economic redress on the behalf of the economically underprivileged, or historically previously disadvantaged, but that the process has further entrenched big capital's monopoly and control of the situation. While lip service has been paid on behalf of those who the legislation classifies as subsistence fishers, the processes to develop this sector in accordance with the new legislation has been problematic. This is due to the manner in which these persons are essentialised in the legal definitions of their categories and the strong emphasis that has been laid on the

development of stringent procedures for large-scale commercial fisheries to the neglect of this smaller, much less lucrative, sector. At the time of writing, no subsistence fishing zones had been officially declared, though there are applications in the machinery of the DEAT currently being processed.

Furthermore, with these limitations placed on their enskilled livelihood and historical identity, the fishermen and their families of Kassiesbaai are currently in a very frustrating and painful state of increasing poverty, which due to the limited socio-economic infrastructure in their immediate environment, is leading the village deeper into a state of lack which has the potential to overwhelm – particularly due to the appealing ease of financial security offered by the dispersed poaching network in the Overberg. These illegal activities are appealing not because this community is inherently criminal, but because it represents a way of alleviating a difficult situation and ‘getting back at’ the government for creating it.

This resentment towards government officials and professional scientists harboured by the community of Kassiesbaai is indicative of a general state of mistrust in the interactions between these three broad groupings, and it is this lack of trust which I argue is both creating and further exacerbated by the misunderstanding between these groupings resultant of the nodes of discrepancy between their respective discourses. If these nodes of discrepancy are not identified, contextualised, acknowledged and negotiated in these conversations, the management of South Africa’s living marine resources will continue to be dogged by resentment, non-compliance and increased limitations on practice and activity. Such a scenario is obviously impractical for the task of sustainable development on a socio-ecological level. Furthermore, the framing of the problem of resource management is itself a major obstacle – the Nature/Culture divide informs it in a way that allows for an either/or framing of the dimensions of the problem. Either socio-economic or ecological; either for the people or for the fish. A fundamental change must occur if more successful resource management models are to be implemented – the crisis in the oceans ecological integrity and stability is not a natural occurrence in terms of being unaffected by human action, though nor is it purely the result of human exploitation. Subsequently, the solution/s to the problem/s can be neither only ecological nor only socio-economic, it must be framed in a manner that recognised

the mutual influence, interaction and dependence between these two perspectives – what has been called socio-ecological (Berkes *et al* 2001:19).

As Hauck and Sowman (2003:55) state:

This fundamental change in approach to management of coastal and marine resources also requires a shift in thinking, attitude and behaviour of officials responsible for implementing policy and the law.

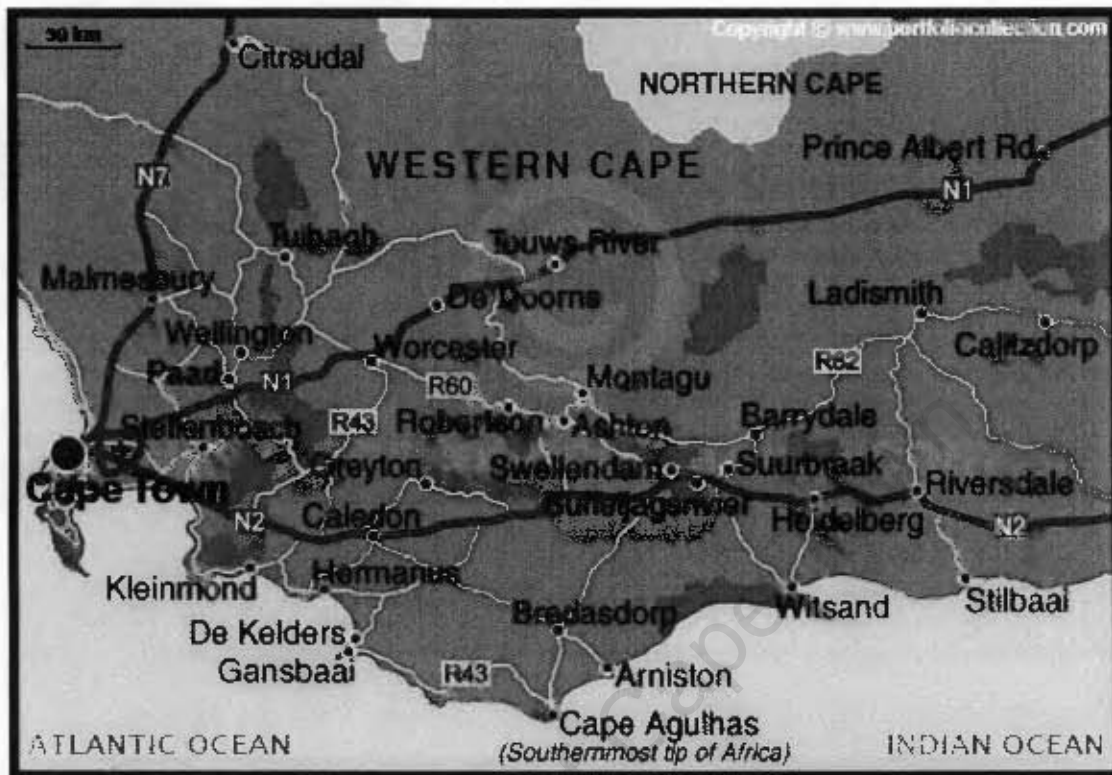
However, I argue, that it is not possible to demonise any one of the groupings or institutional entities involved – the state of mistrust and miscommunication is perpetuated by an inability, sometimes a refusal, to engage with other actors in terms that they can relate to. It is not only the officials who must change their thinking, attitude or behaviour, but all the groups involved. It is very well if the MCM officials change their behaviour and attitude towards the fishers, but if the fishers continue to demonise all officials and poach “because it’s their right”, the process of dialogue will still be scuttled. A situation-specific process of knowledge translation is required, but not in order to convert the one system of thought to the other, but a translation that negotiates discrepancies that are obstacles to mutual understanding in a way that allows dialogue about and around them. It is very well to criticise “Science” and “the State” as bearers of knowledges that impose upon and oppress other systems of knowledge, but that does not mean that one needs to fall completely for the myth of “the noble fisher”.

What I have concluded from my investigations is that the level of economic stability historically produced by fishing in the village of Kassiesbaai is, firstly, no longer feasible due to both the new legislation and the strain on marine resources and secondly, is below the level of income needed to alleviate the poverty in Kassiesbaai significantly and *across the board*. What I propose then is that the residents are given the opportunities to develop economic activities that capitalise on their special heritage status, their environmental intimacy and detailed knowledge of the sea and shore – thereby retaining their close and personally valuable connections to the sea without requiring extractive exploitation of it. What is imperative to such a redirection of activity and practice, is that issue of fishing rights and sustainability are discussed with the community in a much more detailed manner that has previously been done, as the redirection will need to happen according to their desire to do so – it will fail if it is

imposed in the same top-down manner as the legislation. The residents need to initiate these new ventures for themselves according to their socio-economic needs and wants, strengthening the autonomy of the village and agency of individuals that has been depleted in the current state of poverty and unemployment. There are a numbers of possible avenues for such ideas to start flowing along, which already exist in the daily lives of residents.

However, the danger in trying to capitalise on such skills and knowledge is similar to that of attempting to codify heritage. The SAHRA-granted “living resource” status of the village is practical in a number of respects, but bears the danger of telling more about the past of the settlement than either their present state or their future. Historic elements of identity need to be respected, but not held in privilege over the reality of the situation. Heritage may indeed begin to be rejected if it is out of tune with the immediate needs of the community. While the history of the settlement as a fishing village is a colourful one that should be remembered and honoured, the future of the village should not be limited by expectations extrapolated from what has come before, and gone. By locking the village’s image into one of a historic fishing village, the processes within and without Kassiesbaai that has resulted in the current situation are largely ignored, and therefore not adequately addressed or taken responsibility for. Too easily can this paint this picture of frustration, poaching and poverty as one of inevitability, which it most certainly is not.

Appendix A:



A map of the Western Cape showing the Overberg, courtesy of www.portfoliocollection.com.



Google Earth image of the Arniston coast.

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